

CITY OF SAN DIEGO
MEMORANDUM

FILE NO: 202

DATE: February 18, 1993

TO: Terry Nelson, Personnel, San Diego Police Department

FROM: Robert Thorburn, Assistant Chief, Office of Human Resources

SUBJECT: Peter J. Caruso, Police Officer II, I.D.#4009

Peter Caruso was terminated by this department on November 30, 1990. A civil service hearing was scheduled for November 9 and 10, 1992.

Prior to the commencement of the hearing, it was determined by counsel for Mr. Caruso and the legal advisors of this department that a settlement would be in the best interest of all parties.

Accordingly, it was agreed that if Mr. Caruso passed a background investigation which included a polygraph examination and a medical examination he would be reinstated as a Police Officer II. Mr. Caruso waived any rights to back pay and other associated benefits that would have accrued during the period from his termination date up to his date of reinstatement.

I have been informed that Mr. Caruso has passed his background investigation and is ready to be reinstated.

Please have Mr. Caruso reinstated immediately.

[REDACTED]
Robert Thorburn
Assistant Chief
Office of Human Resources

RT:VG:cm

CITY OF SAN DIEGO
MEMORANDUM

FILE NO: 320

DATE: February 19, 1993

TO: Darlene Soda, Senior Clerk Typist, Payroll

FROM: Terry Nelson, Supervising Administrative Analyst, Personnel

SUBJECT: Reinstatement of Peter J. Caruso, Police Officer II, I.D.#4009

Please reinstate Peter J. Caruso to Police Officer II, effective today, February 19, 1993. He should be returned at his former salary step, with no back pay or benefits.

He will be assigned to Field Operations, Southeastern Area Station.

Call me if you have any questions.

[REDACTED]
TERRY NELSON
Supervising Administrative Analyst

TN:rtn

CITY OF SAN DIEGO
MEMORANDUM

FILE NO: 320

DATE: June 29, 1993

TO: Vera Slavik, Administrative Aide II, Fiscal Management

FROM: Kathy Richeson, Principal Clerk, Personnel

SUBJECT: FY 93 Uniform Reimbursement for Officer Caruso

Officer Peter J. Caruso was carried as leave of absence from November 30, 1990 through February 19, 1993. As such, he was not eligible for uniform reimbursement for FY 92. However, he was eligible for uniform reimbursement for FY 93 upon his return to duty.

Please process the necessary paperwork to provide Officer Caruso with his FY 93 uniform reimbursement. If you have any questions regarding this matter, please feel free to contact me at [REDACTED].

[REDACTED]
Kathy Richeson
Personnel Services

cc: Victoria Gilner, Assistant to the Chief
Peter J. Caruso, Officer
Personnel File

1
2 CIVIL SERVICE COMMISSION, CITY OF SAN DIEGO
3
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5 COUNTY OF SAN DIEGO, STATE OF CALIFORNIA
6
7

8 IN THE MATTER OF) ORDER OF ATTACHED STIPULATION
9 THE APPEAL OF)
10 PETER J. CARUSO)
11 FROM THE ORDER OF)
12 HIS TERMINATION)
13
14

15 THE ATTACHED STIPULATION IS ACCEPTED AND THE TERMS AND
16 CONDITIONS SET FORTH THEREIN ARE HEREBY ORDERED PURSUANT
17 TO VOTE OF THE COMMISSION AT A REGULARLY NOTICED AND
18 CONSTITUTED MEETING.

19
20 DATED: June 17, 1993.
21
22

23 CIVIL SERVICE COMMISSION OF THE CITY OF SAN DIEGO
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25

26 Alan Ziegau^s, President
27

28 Al Best Ph.D., Vice-President
29

30 Hope S. Logan, Commissioner
31

32 Linda LeGerette, Commissioner
33

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8 CIVIL SERVICE COMMISSION

9 CITY OF SAN DIEGO

10 IN THE MATTER OF)
11 PETER J. CARUSO) STIPULATION
12 _____)

13 This stipulation is entered into between Peter J. Caruso
14 (hereinafter Caruso) and the City of San Diego Police
15 Department (hereinafter SDPD) and is based upon the following:

16 1. Caruso's employment by SDPD was terminated by virtue
17 of and based upon the facts set forth in a Notice of
18 Termination dated November 30, 1990.

19 2. SDPD may be unable to establish, by a preponderance of
20 evidence, certain allegations of fact as outlined in the Notice
21 of Termination.

22 3. Caruso and SDPD desire to terminate their dispute
23 regarding Caruso's termination by SDPD by virtue of Caruso's
24 appeal of his termination by SDPD to the Civil Service
25 Commission of the City of San Diego (hereinafter CSC).

26 4. The parties agree that upon acceptance of this
27 stipulation, Caruso will withdraw his appeal to the CSC.

1 5. SDPD has returned Caruso to duty effective February
2 19, 1993, and he will remain with the SDPD after he withdraws
3 his appeal.

4 6. It is agreed between SDPD and Caruso that he will be
5 subject to unannounced random urinalysis at the discretion of
6 SDPD until February 19, 1994.

7 7. The period between November 30, 1990, through February
8 19, 1993, will be calculated as a leave of absence with the
9 exception of a period of twenty (20) days which will be
10 considered a period of suspension.

11 8. The SDPD will remove from Caruso's personnel file the
12 Notice of Termination and in its place put a Notice of
13 Suspension for a period of twenty (20) days.

14 9. This stipulation is a complete stipulation between the
15 parties.

17 [REDACTED] 5/5/93
18 James M. Gattney
19 Attorney for Mr. Caruso

Victoria C. Gilner
Deputy City Attorney
For San Diego Police Dept.

31 Peter J. Caruso

Robert J. Thorburn
Assistant Chief
Office of Human Resources



THE CITY OF

SAN DIEGO

CITY ADMINISTRATION BUILDING • 202 C STREET • SAN DIEGO, CALIFORNIA 92101
TELEPHONE [REDACTED]

RECEIVED

92 SAN DIEGO, AM 4:18

CHIEF OF POLICE

PERSONNEL
DEPARTMENT

CERTIFIED MAIL #781 856 855
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

RICH SNAPPER
Personnel
Director

KENT LEWIS
Assistant
Personnel
Director

Peter Caruso
[REDACTED]

September 16, 1992

Dear Mr. Caruso:

The San Diego City Civil Service Commission has scheduled a hearing to be held in the Sixth Floor Commission Room, City Administration Building, Charles C. Dail Concourse, San Diego,

FOR: November 9 & 10, 1992

AT: 8:00 a.m.

REGARDING: Your Termination from the City of San Diego Police Department

As provided for in Ordinance No. 17721 revising Rule XI of the Rules of the CSC, the Commission has appointed one of its members to hear your appeal. This Hearing Officer is prepared to give whatever time is needed to assure a fair hearing in this case. The conduct of the hearing is governed by the provisions of Section 129 of the Charter of the City of San Diego and Rule XI of the Rules of the Civil Service Commission, copies of which are enclosed. Please note that Ordinance No. 17721 supersedes the enclosed documents relating to appeal of removal. In order to expedite the hearing, it is requested that you examine these documents. On the date of the hearing, you will be requested to stipulate for the record that you have received and read the appropriate Rules and Charter Sections. Also enclosed is a document entitled, "Disciplinary Hearings." Please read this carefully, as it tells you what you need to do before your hearing and what to expect during the hearing.

September 16, 1992
Page 2

Civil Service Rules provide that:

"Any employee who has appealed to the Commission for a public hearing and fails to make an appearance at the hearing, either in person or through a duly authorized representative after having received notice of the time and place for such hearing may be deemed to have abandoned the appeal..."

If you have any questions prior to your hearing, please call me.

Sincerely,

RICH SNAPPER
Personnel Director

RS:ls

Enclosures

cc: Bob Burgreen, Chief of Police
James Sing, Captain
Victoria Gilner, Deputy City Attorney
Stuart Swett, Senior Chief Deputy City Attorney
James Gattey, Attorney-At-Law



THE CITY OF

SAN DIEGO

POLICE DEPARTMENT • 1401 BROADWAY

SAN DIEGO, CALIFORNIA 92101-5729 • TELEPHONE: [REDACTED]

OFFICE OF
BOB BURGREEN
CHIEF OF POLICE

IN REPLYING
PLEASE GIVE
OUR REF. NO.

202

November 28, 1990

Peter J. Caruso

CERTIFIED MAIL #P 760 134 931
RETURN RECEIPT REQUESTED

Dear Mr. Caruso,

I have considered the information presented at the hearing held in my office on November 28, 1990, during which you were represented by your attorney, Mr. Gattey. I can find no reason not to proceed with the proposed termination of your employment with the San Diego Police Department.

Your actions in both the instances of obtaining steroids for the purposes of body-building and your part in the unreported traffic accident with a police vehicle violated several Department policies and procedures as noted in the Notice of Adverse Action. Your version of your actions in both matters lacks some credibility.

By copy of this letter I am directing that you be terminated from employment with the San Diego Police Department immediately.

If you or your attorney have any questions, I may be reached at [REDACTED].

Sincerely,

[REDACTED]
Ken Fortier
Deputy Chief

KF:cm

cc: Dr. Leroy Brady
Captain Jim Sing
Kathy Richeson
James Gattey

CITY of SAN DIEGO
MEMORANDUM

FILE NO: 430

DATE: 10-29-90

TO: Peter J. Caruso, Police Officer II, I.D. #4009
FROM: James B. Sing, Commanding Officer, Northern Division
SUBJECT: Notice of Departmental Appeal Rights

After consideration of the information provided during your Skelly interview on 10-17-90 at 0730, I have decided to forward my recommendation for your termination to the Chief of Police. You have the right to appeal the recommended discipline to the Chief of Police prior to any disciplinary action being taken. In order to appeal, you must submit a written appeal to the Chief's Office within three (3) working days of receipt of this notice. Failure to make written appeal within the three day period will be deemed a waiver of your right to appeal this disciplinary action within the Department.

[REDACTED]

James B. Sing, Commanding Officer

This Notice of Departmental Appeal Procedure was handed to me in the presence of Bob Cruz, Sgt on 10-29-90. I have been given full explanation as to my right of appeal within the Department and instructions on how to proceed. Receipt of this memorandum is acknowledged.

[REDACTED]

Employee's Signature

10 29-90

Date

CITY OF SAN DIEGO
MEMORANDUM

FILE NO: 430

DATE:

TO: Peter J. Caruso, Police Officer II, I.D. #4009
FROM: James B. Sing, Commanding Officer, Northern Division
SUBJECT: Advance Notice of Adverse Action

This is to notify you that I am recommending to the Chief of Police that you be terminated from your position as a Police Officer II. I am proposing that your termination be made effective as soon as possible, given your right to appeal my recommendation.

This recommendation for your termination is based on the fact that:

You have been obtaining anabolic steroids from Dr. [REDACTED] for the purpose of body building. An investigation conducted by the Internal Affairs Unit concluded that you were engaged in criminal conduct by violating California Health and Safety Code Section 11354(b), which states, "No person shall knowingly solicit, direct, induce, aid, or encourage a practitioner authorized to write a prescription to unlawfully prescribe, administer, dispense, or furnish a controlled substance."

Anabolic steroids are a controlled substance and listed as Schedule III Drugs in Section 11056(f) of the Health and Safety Code.

When you were interviewed by supervisors from the Internal Affairs Unit you were untruthful as to the reason you obtained anabolic steroids. You were also untruthful when you told the Internal Affairs investigators you had never injected yourself with anabolic steroids.

You again made untruthful statements on July 6, 1990, to your immediate supervisor, concerning a police equipment collision which occurred on July 4, 1990.

Your conduct violated the following Civil Service Rules:

Civil Service Rule XI, Section 3(d), in that you violated the following lawful or official regulations:

- A. Department Policy 9.3, Obedience to Laws, in that you violated Health and Safety Code Section 11354(b) by obtaining steroids for the purposes of body building.

B. Department Policy 9.29, Truthfulness, in that you made untruthful statements to Internal Affairs investigators concerning your use of steroids. During the interview of March 23, 1990, you denied obtaining steroids to assist in a body building program. Also during the interview you denied injecting yourself with steroids. In a follow-up interview on July 20, 1990, you admitted obtaining steroids for the purposes of body building. Also during the follow-up interview you admitted injecting yourself with steroids.

On July 6, 1990, you made untruthful written and verbal statements to your immediate supervisor concerning the police equipment accident which occurred on July 4, 1990. You also gave untruthful written and verbal statements to the investigating Traffic officers.

Previous disciplinary actions include:



Therefore, based on the information available to me, I believe termination from employment is appropriate.

Before any action is taken on this recommendation to terminate your employment with the City, you have the opportunity to respond and present any information you wish as to why this action should not take place. You have the right to be represented and may respond either orally or in writing to me by
on _____. A failure to respond to me by that time
will be deemed a waiver of your opportunity to respond. A copy of all reports and notices of previous discipline upon which this action is based are attached. These are listed below:

1. Officers John Smith and Peter Caruso's Daily Activity Journal, dated July 4, 1990.
2. Collision Report, dated July 6, 1990, written by Officer D. Jennes, I.D. #3594, and S. Thompson, I.D. #3746, detailing the Police Equipment Collision of July 4, 1990.

3. Supervisor's Vehicle Accident Investigation Report, form RM-1567, completed by Sergeant Richard O'Hanlon, dated July 7, 1990.
4. ARJIS-9 Report written by Officer Caruso, dated July 9, 1990.
5. ARJIS-9 Report written by Officer John Smith, dated July 9, 1990.
6. Vehicle Damage Report, written by [REDACTED], dated July 12, 1990.
7. Review of Materials Policy, signed by Officer Caruso and Sergeant O'Hanlon, dated July 13, 1990.
8. Review of Materials Policy, signed by Officer Smith and Sergeant O'Hanlon, dated July 13, 1990.
9. Review of Materials Policy, signed by Officer Smith and Sergeant O'Hanlon, dated July 24, 1990.
10. Amended Collision Report completed by Sergeant Richard O'Hanlon, dated July 28, 1990, detailing the collision of July 4, 1990.
11. Amended Supervisor's Vehicle Accident Investigation Report, form RM-1567, completed by Sergeant Richard O'Hanlon, dated July 24, 1990.
12. Memorandum, dated August 1, 1990, completed by Detective J. A. Stewart, Traffic Investigations Unit.
13. Internal Affairs Investigation #90-003, completed 07-25-90, by Sergeant Joel Bryden which includes all related materials.
14. San Diego Police Department Training Bulletin #89-2, Anabolic Steroids, dated April 4, 1989, written and prepared by Special Agent Joe Kenney, California Department of Justice, Bureau of Narcotic Enforcement.
15. [REDACTED]
16. [REDACTED]
17. [REDACTED]

Peter J. Caruso, Police Officer II, I.D. #4009
Advance Notice of Adverse Action
Page 4

The tape recorded interviews of Officers Smith and Caruso as well as the Communications tape of incident #B6548 will be maintained by Sergeant Richard O'Hanlon.

James B. Sing,
Commanding Officer

On _____,
I witnessed the personal delivery
of this notice and the above-listed
documents to the employee:

Without agreeing or admitting
to any of the statements
above, I admit receiving this
notice and the above-listed
documents on _____.

Witness Signature

Employee's Signature

cc: City Manager
City Personnel Director
Police Personnel Office-file

CITY OF SAN DIEGO
MEMORANDUM

FILE NO: 430
DATE: August 28, 1990
TO: Gary L. Gollehon, Lieutenant, Northern Division
FROM: Richard M. O'Hanlon, Sergeant, Beach Enforcement Team
SUBJECT: Supervisor's Investigative Report Concerning Misconduct of Officer Peter J. Caruso, I.D. #4009

SUMMARY

This investigation involving Officer Peter J. Caruso, I.D. #4009, encompasses two separate incidents of misconduct.

1. The use of anabolic steroids for the purposes of body building.
2. Untruthful statements made during the investigation of a police equipment collision.

On January 8, 1990, Sergeant Joel Bryden, I.D. #3033, of the Internal Affairs Unit initiated an investigation into alleged steroid abuse by Officer Peter J. Caruso, I.D. #4009. The investigation revealed Caruso had obtained steroids for the purpose of body building in violation of Health and Safety Code Section 11354(b). During this investigation Caruso made untruthful statements to Sergeant Bryden concerning his steroid use.

On July 4, 1990, Officer Caruso was the passenger in a marked police unit, equipment 1207, driven by Officer John C. Smith, I.D. #4047. This unit was involved in a collision at 1100 Sea World Drive. The vehicle struck a raised center island. The impact caused moderate damage to Unit 1207. Neither Smith nor Caruso properly reported the collision.

On July 6, 1990, Caruso made untruthful verbal and written statements to his immediate supervisor, Sergeant Richard O'Hanlon. Caruso also made untruthful verbal and written statements to Traffic officers who were investigating the collision which occurred on July 4, 1990.

Based on these untruthful statements, an inaccurate collision and Supervisor's Vehicle Accident Report were filed.

INVESTIGATION

Sergeant Joel Bryden, I.D. #3033, of the Internal Affairs Unit, initiated an investigation into illicit steroid use by Officer Peter J. Caruso, I.D. #4009. The investigation was started after a confidential source of information for a Narcotics Task Force detective identified a San Diego police officer as a possible steroid abuser. The confidential source of information told Detective David Johnson that Officer Peter Caruso was associating with known steroid users and dealers. The confidential source of information told Detective Johnson and Sergeant Bryden that Caruso is currently using steroids to assist him with his body building.

August 28, 1990

Gary L. Gollehon, Lieutenant, Northern Division
Supervisor's Investigative Report Concerning Misconduct of
Officer Peter J. Caruso, I.D. #4009
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INVESTIGATION (Continued)

On February 22, 1990, Sergeants Hank Hiskes and Joel Bryden interviewed Department of Justice Agent Joseph Kenney. Agent Kenney is a nationally recognized authority on anabolic steroids. Agent Kenney wrote a Training Bulletin (89-2) on anabolic steroids for the San Diego Police Department. According to Agent Kenney, anabolic steroids are either taken orally, in tablet form, or are injected. Steroids taken orally stay in a subject's system for approximately three to six weeks. Injectable steroids stay in a users system anywhere from three to nine months.

As of January 1, 1987, Section 11377(b) of the Health and Safety Code makes it a misdemeanor to possess, without a doctor's prescription, any anabolic steroid. According to Deputy District Attorney Mike Carleton, a legal advisor for the San Diego Police Department, a positive urine test for anabolic steroids would be evidence beyond a reasonable doubt that a person once ingested steroids.

On March 23, 1990, Officer Caruso was interviewed by Sergeants Joel Bryden and Hank Olias of the Internal Affairs Unit. During this interview Caruso stated he was under a doctor's care for [REDACTED]

[REDACTED] Caruso denied using steroids for the purposes of body building and also denied injecting himself with steroids. Caruso's physician is Doctor [REDACTED]

At the conclusion of the interview Caruso submitted a urine sample for testing. This sample would be analyzed for steroids.

On March 27, 1990, Sergeant Bryden and Detective Laursen drove to the University of California at Los Angeles Pharmacology Department. The urine sample obtained from Officer Caruso was delivered to [REDACTED] an employee in the Pharmacology Department.

On March 28, 1990, Sergeant Bryden spoke with Department of Justice Agent Joseph Kenney. Bryden told Kenney that he (Bryden) was investigating a police officer and the use of anabolic steroids. Agent Kenney told Sergeant Bryden that a Dr. [REDACTED] was currently being investigated for excessive steroid prescriptions.

Also on March 28, 1990, Sergeant Bryden spoke with Dr. [REDACTED]. Dr. [REDACTED] specializes in internal medicine. According to Dr. [REDACTED] it would be inappropriate to prescribe anabolic steroids to help in body building.

On April 3, 1990, Sergeant Bryden received the results of Caruso's urinalysis. The results, according to Dr. [REDACTED] of the UCLA Department of Pharmacology, indicated that Caruso's sample contained a testosterone to epitestosterone ratio of greater than 20 to 1. According to Dr. [REDACTED] the ratio in this sample was probably as great as 50/70 to 1.

August 28, 1990

Gary L. Gollehon, Lieutenant, Northern Division
Supervisor's Investigative Report Concerning Misconduct of
Officer Peter J. Caruso, I.D. #4009
Page 3

INVESTIGATION (Continued)

On April 17, 1990, Sergeant Bryden interviewed Dr. [REDACTED]. Dr. [REDACTED] is an expert in the use of anabolic steroids. According to Dr. [REDACTED] the typical testosterone to epitestosterone ratio in a male is 3 to 1. According to Dr. [REDACTED] some individuals may have a ratio as high as 7 to 1.

On July 6, 1990, Sergeant Bryden assisted Agent Kenney with the service of a search warrant at the offices of Dr. [REDACTED] at [REDACTED]. Sergeant Bryden interviewed Dr. [REDACTED] inside the office. Dr. [REDACTED] stated he was treating Officer Caruso for [REDACTED].

Dr. [REDACTED] told Sergeant Bryden Officer Caruso had received five syringes and fourteen needles on February 19, 1990. The purpose of the needles and syringes was so Officer Caruso could inject himself with testosterone. Dr. [REDACTED] told Sergeant Bryden Caruso initially came to him to assist with his (Caruso's) body building program.

On July 10, 1990, Sergeant Bryden received a copy of Officer Caruso's medical file from Agent Kenney. This file was seized pursuant to State Search Warrant #14674.

The following entries were made in Caruso's medical records which were seized pursuant to a search warrant. The medical records were removed from the offices of Dr. [REDACTED].

1. [REDACTED]

2. [REDACTED]

Dr. [REDACTED] told Sergeant Bryden Officer Caruso purchased the syringes and needles to inject himself with steroids. According to Sergeant Bryden's interview, Dr. [REDACTED] was administering Officer Caruso the steroid testosterone cypionate.

On July 20, 1990, Sergeants Hank Olias and Joel Bryden of the Internal Affairs Unit reinterviewed Officer Caruso. During this interview Caruso admitted he had injected himself with anabolic steroids after February 2, 1990. (Caruso stated during the interview of March 23, 1990, he did not inject himself.)

Officer Caruso stated the purpose for using anabolic steroids was to assist him in body building and for treatment of [REDACTED]. Later Caruso stated

August 28, 1990

Gary L. Gollehon, Lieutenant, Northern Division
Supervisor's Investigative Report Concerning Misconduct of
Officer Peter J. Caruso, I.D. #4009
Page 4

INVESTIGATION (Continued)

he initially went to Dr. [REDACTED] to assist him in body building.

On July 24, 1990, Sergeant Bryden recontacted Dr. [REDACTED]. Dr. [REDACTED] explained to Sergeant Bryden that the only way to check for [REDACTED] [REDACTED]. (According to Caruso's medical records this procedure was not conducted by Dr. [REDACTED])

According to Dr. [REDACTED] if an individual had a testosterone to epitestosterone ratio of at least twenty to one there would have to be an outside source. Dr. [REDACTED] stated that a ratio of 20 to 1 would indicate that a person received a substantial dose of testosterone that could be in excess of a normal therapeutic dose.

Also, according to Dr. [REDACTED], individuals who are being treated for [REDACTED] [REDACTED] do not normally inject themselves. Dr. [REDACTED] stated body builders using anabolic steroids frequently inject themselves.

In addition, on July 4, 1990, at approximately 2230 hours, Officers John Smith, I.D. #4047, and Caruso were partners in equipment number 1207. They were involved in a police equipment collision that was not properly reported. Caruso was the passenger officer.

On July 5, 1990, at approximately 0700 hours, Northern Automotive Technician [REDACTED], attempted to drive equipment number 1207. [REDACTED] found the unit parked adjacent to the car wash along the east fence of the parking lot. As [REDACTED] started the vehicle he immediately noticed that the gear shift indicator was broken. As [REDACTED] drove the vehicle it became apparent that the steering column and alignment were also damaged.

Unit 1207 was placed on a rack where the damage could be evaluated further. An examination of the vehicle revealed substantial undercarriage damage. The inside rear view mirror had been knocked off. The front bumper was misaligned. Both front rims were bent. There was damage to the front cowling near the hood latch. The inside hood bracing also had two dents in it from being struck by the engine.

Equipment number 1207 is assigned to the Northern Division Beach Enforcement Team. At the time the damage was discovered the odometer read 82109.5. Lieutenant R. L. James, I.D. #1469, was notified of the damaged vehicle.

Lieutenant James advised me of the damaged vehicle when I arrived at work. I reviewed the journals from July 1, 1990, through July 4, 1990, in an attempt to locate the last driver of that unit. During my review I was unable to locate the journal for Officers Smith and Caruso for July 4, 1990. I recalled seeing Smith and Caruso driving a black and white unit the evening of July 4, 1990. I did not recall what the equipment number was. I had seen the officers at the command post, at approximately 2200 hours on July 4, 1990, and advised them they were cleared to secure for the day.

August 28, 1990

Gary L. Gollehon, Lieutenant, Northern Division
Supervisor's Investigative Report Concerning Misconduct of
Officer Peter J. Caruso, I.D. #4009
Page 5

INVESTIGATION (Continued)

Thursday, July 5, 1990 was a day off for Officers Smith and Caruso.

On Friday, July 6, 1990, I told Smith and Caruso that I needed their journal from July 4, 1990. They stated they had inadvertently left the document at the lifeguard station at 700 Ventura Place. I ordered Smith and Caruso to retrieve the journal and return immediately to Northern with the document. This journal would indicate which vehicle Smith and Caruso were driving on the 4th.

Approximately forty-five (45) minutes later I attempted to raise Smith and Caruso on the radio. I walked outside the station and saw Smith and Caruso by the garage area talking to [REDACTED], a mechanic. Unit 1207 was up on a rack.

I asked Smith and Caruso if they had retrieved their journal. They replied, "No, [REDACTED] told us about the damaged car." At this point Smith stated, "I guess I damaged the car more than I thought."

At approximately 1915 hours I asked Smith and Caruso about their knowledge of the damaged vehicle. Sergeant Dave Douglas, I.D. #2237, was also present during this initial interview.

Officer John Smith stated essentially the following about the damaged vehicle:

We were going to the "Cover Now" at De Anza Cove. I started out from near Fiesta Island. Traffic was really backed up. I was going Code-3, with my lights and siren. I hit the curb. The call went Code-4 after we got on the freeway. I drove to Mission Bay Hospital and checked the car. I didn't notice any damage to the hood or anywhere else. The steering was a little off. The car drove fine the rest of the night. The gear shifter felt a little funny.

Officer Caruso stated essentially the following:

We were going to a cover call at De Anza Cove. John was driving, we hit the curb at Sea World Drive near I-5. We hit pretty hard. We didn't have a problem with the car the rest of the night. John said the gear shifter felt a little funny. We stopped at Mission Bay Hospital and checked the car. I'm not a mechanic. I didn't notice any damage. We didn't look at the undercarriage.

On July 6, 1990, a Traffic supervisor, Sergeant W. Clem, I.D. #1484, and Officers S. Thompson, I.D. #3746, and D. Jennes, I.D. #3594, responded to Northern Division to investigate the police equipment accident. The damage to Unit 1207 was identified and photographed.

August 28, 1990

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Supervisor's Investigative Report Concerning Misconduct of
Officer Peter J. Caruso, I.D. #4009
Page 6

INVESTIGATION (Continued)

The following damage was identified:

1. Cracked right turn signal and housing, cracked right front bumper area.
2. Broken shift linkage.
3. Damaged oil pan.
4. Damaged front stabilizer bar.
5. Bent front rims.
6. Dents to the underside of the hood from the engine striking it.

I ordered Smith and Caruso to locate their daily journal. I further instructed them to meet myself and the Traffic officers at Sea World Drive and Pacific Highway to locate the accident scene.

Smith and Caruso retrieved their journal from July 4, 1990, and located the accident scene at 1100 Sea World Drive. At the accident scene Smith and Caruso gave written statements, ARJIS-9's, as to how the accident occurred. These reports were incorporated into the accident report written by Officers Jennes and Thompson, dated 07-06-90.

The ARJIS-9 reports written by Smith and Caruso both indicated they were driving "Code Three" to a cover call at De Anza Cove. According to these reports Smith and Caruso were driving through a simulated island, eastbound on Sea World Drive. As they were driving through the island they struck a raised asphalt center median. Smith and Caruso stated that after striking the median the cover call went "Code Four." Smith drove to Mission Bay Hospital. Smith and Caruso stated inspected the vehicle and did not see any damage. Smith stated the alignment appeared to be off.

Smith and Caruso stated they drove this unit for the remainder of their shift. Smith and Caruso secured from their shift at approximately 2300 hours on July 4, 1990.

The radio transmissions on Frequency Two and TAC were reviewed. The cover call occurred on July 4, 1990, at 1626 hours. (Incident number 5642.) A parking controller was struck by a vehicle while directing traffic at De Anza Cove. This vehicle was subsequently located and the occupants were taken into custody. The tape recording indicates Smith and Caruso, Unit 171Z, never advised the dispatchers on either frequency they were responding to the cover call.

A review of Smith and Caruso's journal for July 4, 1990, shows they volunteered for the cover call. The time of the cover call noted on the journal is 1600 hours.

On July 6, 1990, I completed a Supervisor's Vehicle Accident Investigation Report, form RM-1567. My investigation was based on Smith and Caruso's verbal and written statements to the Traffic officers. My investigation indicated

August 28, 1990

Gary L. Gollehon, Lieutenant, Northern Division
Supervisor's Investigative Report Concerning Misconduct of
Officer Peter J. Caruso, I.D. #4009

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INVESTIGATION (Continued)

Smith was driving Code-3 to a "Cover Now" call at De Anza Cove. While driving through a simulated island Smith struck a raised asphalt median at 1100 Sea World Drive. My investigation also indicated this collision was not properly reported. The Supervisor's Vehicle Accident Investigation Report and Vehicle Damage Report were forwarded to the Fleet Safety Sergeant.

On Saturday, July 7, 1990, I was at 700 Grand Avenue with [REDACTED], Chairperson of the Citizen's Review Board on Police Practices. [REDACTED] was riding with me as an observer. We were approached by a citizen who inquired as to the welfare of the officers involved in the accident. I asked this citizen, [REDACTED] some general questions about the accident.

[REDACTED] stated the accident occurred on Sea World Drive. [REDACTED] stated a police car hit a raised island at about fifty (50) mph. I obtained [REDACTED] information and told him I would contact him in the next few days.

On July 8, 1990, at approximately 1250 hours, I interviewed Automotive Technician [REDACTED]. [REDACTED] stated essentially the following:

I got to work about 7:00 o'clock in the morning. I got into Unit 1207 to roadtest it. That is normally the first thing I do when I get to work. As soon as I got in the car I knew something was wrong with the car. The rear view mirror was knocked off. The right turn indicator was broken. The bumper was bent. The gear shift lever was loose and was touching the dash. The car was parked along the fence by the car wash. Also the fiberglass cowling was broken. When I drove the car you could tell something was wrong. I told my boss about the damage. Whoever damaged the car had to know they did it.

On July 9, 1990, Officer Smith and Caruso hand-delivered ARJIS-9 reports to Sergeant Douglas. These reports stated the original ARJIS-9's submitted to the Traffic unit about the accident on July 6, 1990, were in error. The reports dated July 9, 1990, submitted by Smith and Caruso stated the accident occurred at 2230 hours. These reports stated Caruso and Smith did not check the vehicle for damage until they arrived at the Northern Substation.

On July 9, 1990, at approximately 1410 hours, I interviewed [REDACTED] over the telephone. [REDACTED] pertinent information is as follows:

[REDACTED] stated essentially the following:

I was with [REDACTED]. We were on Sea World Drive going towards I-5. We were in the fast lane, closest to the middle. We were about two car lengths back from the intersection. I had the windows down, I saw flashing lights,

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INVESTIGATION (Continued)

but I didn't hear a siren. I heard skid marks. The police car went airborne after hitting the island. Two hubcaps came off. I thought they hit a sign but I can't be sure. The police car went north on I-5 for two exits and then turned off. He was going over fifty miles per hour when he hit the median.

On July 26, 1990, I reinterviewed [REDACTED]. The purpose of this interview was to clarify the time of the collision. The interview was conducted over the telephone. [REDACTED] stated essentially the following:

The accident happened around 10:30 p.m. I'm sure of the time because it was after the fireworks. Traffic was bumper to bumper.

(At this time I have been unable to interview [REDACTED], [REDACTED] passenger.)

On July 11, 1990, I met with Detective James Stewart, I.D. #3378, of the Traffic Investigations Unit. Detective Stewart and I reexamined the collision scene and Unit 1207. The collision scene was photographed by Detective Stewart. Based on the examination of the collision scene and the damage to Unit 1207, Detective Stewart formed the following opinion:

The driver of Unit 1207 would have to reasonably conclude that he/she was involved in an accident and should have been aware of the damage. There is not any damage on Unit 1207 consistent with the vehicle striking a sign.

Detective Stewart's report is attached.

The cost of repairing Unit 1207 is estimated at \$945.38. This information is contained in a damage report submitted by [REDACTED], dated July 12, 1990. This report is attached.

On July 13, 1990, at approximately 1905 hours, I interviewed Officer Peter Caruso. Prior to the interview Caruso reviewed all of the written materials that had been compiled during my investigation. Caruso signed the "Internal Affairs Review of Materials Policy" in my presence. Officer Caruso was also given the Garrity Warning prior to the interview. Officer Caruso requested representation and the interview was concluded.

On July 13, 1990, at approximately 1940 hours, I interviewed Officer John Smith. Prior to the interview Smith reviewed all of the written materials compiled during my investigation. Smith signed the "Internal Affairs Review of Materials Policy" in my presence. Officer Smith was also given the Garrity Warning prior to the interview. Officer Smith requested representation and the interview was concluded.

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INVESTIGATION (Continued)

On July 20, 1990, at approximately 1510 hours, I interviewed garage mechanic [REDACTED] [REDACTED] stated essentially the following:

I was in the garage. Car 1207 was up on the rack. Pete and John came over and I asked them who messed up the car. I told them to check it out. This was Friday evening (July 6, 1990).

On July 24, 1990, at approximately 0800 hours, I interviewed Officer Peter Caruso. Also present was Caruso's attorney James Gattey. The interview was tape recorded. Prior to the interview Caruso and Gattey reviewed all of the documents I had compiled in this matter. I read Caruso the Garrity Warning prior to the interview. The interview was tape recorded.

Caruso stated essentially the following:

John was driving on July 4th. Traffic was backed up well past Sea World Drive, past the center divider both ways. John had the lights on and was tapping the siren. We were going 10-19, back up to the sub to secure at the end of shift. The accident happened about 11 o'clock in the evening. It didn't happen like we stated originally. It happened like we stated in our supplemental reports.

We were going about thirty miles per hour or so when we hit. The time on the accident report is wrong. When we first learned of the accident, John was real worried that he was going to get terminated because we were going 10-19 and not to a cover call. John thinks that you are not very fond of him. Plus statements that you made that any discipline we would get would be three times worse than anybody else. So instead of saying we were going 10-19 we said we were going to a cover call. He said he was going to report it like that. I wasn't too keen on that. I did it to cover him. I knew I could change his mind probably over the weekend, and have us resubmit an addendum to the report, which we did. I had to work with him that night. He was my cover. If he submitted a report that says one thing and I submit a report that says he's lying, I would be putting myself at a risk. I weighed both of them and I wrote my report concurrent with his report.

The accident happened when it was dark. Traffic was backed up from the beach because of the fireworks. There wasn't a cover call, John was driving to get around traffic. We hit a raised center island near Sea World and I-5. John did the journal that night.

We parked the car in the back near the car wash. We always park back there because my own vehicle is parked back there, it is easy to unload. We didn't notice any hubcaps missing from the car. We did not put any hubcaps on the car.

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INVESTIGATION (Continued)

The accident was at about 10:30, right after we left the command post. We first became aware of the damage Friday after lineup, when we spoke to [REDACTED]. John said that the steering felt a little funny. He let go of the steering wheel and the car went straight. I told him to hit the brakes, he did and the car didn't do anything unusual. I've been in accidents similar to that where the front end was totally messed up, but this was fine.

We never went to Mission Bay Hospital and checked the car. I don't recall the rearview mirror being knocked off. John left the journal down at the lifeguard tower.

The accident was between 2230 to 2300, not earlier. We looked at the car when we got to Northern. I looked under the front and didn't see anything. John looked a little more than I did and he didn't see anything. The reason for the error in the time of the accident was because John thought he would be in trouble if he reported that we were going 10-19. He wanted to say we were going to the cover call. I went along with it. I knew I could get him to change his story, which we did, to what it was. At the time he wanted to report it like that.

I could have reported it the way it happened. But I would put him in a position where he was lying or I was lying. I had to work with him the next night.

(At this point the tape ran out. The unrecorded conversations were summarized on side two of the tape. The gap was approximately forty-five seconds.)

I first became aware of the damage on Friday. The mechanic told John about it and John called me over. We went down to the P.O.A. and told them about it. We wrote an addendum to clarify the matter.

The interview was concluded at 0825 hours.

On July 24, 1990, at approximately 1405 hours, I interviewed Officer John Smith. Steve McMillan, Smith's representative, was also present. Prior to the interview Smith and McMillan reviewed all of the documents that I had compiled during the course of my investigation. Smith and McMillan also listened to the interview of Officer Caruso. Smith signed the "Internal Affairs Review of Materials Policy" in my presence. Smith was given the Garrity Warning prior to the interview. The interview was tape recorded. Smith stated essentially the following:

Pete and I were in a black and white, equipment 1207, on July 4th. I was driving. The incident happened about 10:30, 11:00 o'clock p.m. We had just left the command post at Sunset Point. Traffic was heavy. I was going eastbound on Sea World Drive.

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INVESTIGATION (Continued)

I was driving on the center island and hit a raised island. I was driving on the island to get around traffic. I was going about 30 mph. I had my lights and siren on. I had the amber on and the red light on to the front. Periodically I would hit the siren. I don't think they were on the full rotation mode.

I hit the island and came off of it. I went on I-5. I didn't take any off ramps before La Jolla Village Drive. I parked the car in the back row. I normally park there. I examined the car about 11:15. I walked around the front and looked underneath the front end. I didn't look at the tires. I didn't notice any hubcaps missing. I didn't notice the rearview mirror missing.

It felt like the wheel was a little funny. I let go of the wheel and the car went straight. I hit the brakes and the car didn't pull to either side.

I did the journal that night. I left the journal in the lifeguard tower. I found it on the desk on the second floor. I did not put any hubcaps on the car.

I first found out about the damage on Friday when I came back to work. The mechanic asked if I was driving the car. He said I messed it up. He said there was damage to the undercarriage. When I looked at it on the Fourth I didn't notice anything.

Initially I said the accident occurred during a cover call, about 8 o'clock, 8:30. I said that because I feared retaliation, from the command, because we were using the lights when we weren't supposed to.

The accident actually occurred around 10:30 p.m., like we wrote in our addendum reports. We wrote the addendums on Monday.

When I told you that I looked at the car at Mission Bay Hospital that was incorrect. After the accident I drove right to the station. The accident occurred at 10:30, initially I said the accident occurred earlier. The initial traffic report is wrong.

The interview was concluded at 1420 hours.

On July 29, 1990, I wrote an amended collision report. This report indicates the correct time of the collision, 2230 hours. The report also reflects that Officer Smith was not driving "Code 3" in response to a "Cover Now" call. The report indicates Smith was driving through a simulated island trying to get around traffic when he struck the raised island. Smith was not responding to a radio call but instead was driving to Northern Division when the impact occurred.

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INVESTIGATION (Continued)

On July 29, 1990, I prepared a revised Supervisor's Vehicle Accident Investigation Report, form RM-1567.

The "Amended" collision report, revised supervisor's investigation and revised vehicle damage report have been forwarded to the Fleet Safety Sergeant.

CONCLUSION

Officer Peter J. Caruso engaged in criminal conduct by violating Health and Safety Code Section 11354(b). Caruso was injecting himself with steroids to assist with his body building program. An analysis of Caruso's urine showed the presence of steroids at a level far greater than what is considered normal. Caruso's testosterone level also exceeded the level expected even if an individual were being treated for [REDACTED].

Health and Safety Code Section 11354(b) states:

"No person shall knowingly solicit, direct, induce, aid, or encourage a practitioner authorized to write a prescription to unlawfully prescribe, administer, dispense, or furnish a controlled substance."

Anabolic steroids are controlled substances and listed on Schedule III Drugs of the Health and Safety Code.

During his interview of March 23, 1990, Caruso made untruthful statements about injecting himself with anabolic steroids. Caruso also made untruthful statements about the reasons he obtained anabolic steroids. Caruso initially denied obtaining steroids for the purpose of body building. In a follow-up interview Caruso admitted he obtained anabolic steroids as part of a body-building program. He also admitted injecting himself with steroids.

On July 4, 1990, Officer Caruso was a passenger in a police vehicle that was involved in a collision. Caruso did not report the damage to the vehicle. This vehicle, Unit 1207, was left in service even though it presented an immediate safety hazard to fellow officers and citizens.

On July 6, 1990, Officer Caruso made untruthful statements, written and verbal, to his immediate supervisor, and Traffic officers investigating the collision that occurred on July 4, 1990. Based on these statements inaccurate police reports were filed.

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CONCLUSION (Continued)

Officer Peter J. Caruso has violated Civil Service Rule XI, Section 3(d), in that he violated the following lawful or official regulation:

- A. Department Policy 9.3, Obedience to Laws, in that he violated Health and Safety Code Section 11354(b) by obtaining steroids for the purposes of body building.
- B. Department Policy 9.29, Truthfulness, in that he made untruthful statements to Sergeant Joel Bryden concerning his use of steroids. During the interview with Sergeant Bryden of March 23, 1990, he denied obtaining steroids to assist in a body building program. Also during this interview he denied injecting himself with steroids. In a follow-up interview on July 20, 1990, Caruso admitted obtaining steroids for the purpose of body building. Also during the follow-up interview Caruso admitted injecting himself with steroids.

On July 6, 1990, he made untruthful written and verbal statements to his immediate supervisor, Sergeant Richard O'Hanlon, concerning the police equipment accident which occurred on July 4, 1990. He also gave untruthful written and verbal statements to the investigating Traffic officers.

Previous disciplinary actions include:

In each of the above mentioned incidents Caruso was counselled that any further violations of Department Policies or Procedures would result in more severe disciplinary action.

Attached are the following documents and materials:

1. Officers John Smith and Peter Caruso's Daily Activity Journal, dated July 4, 1990.
2. Collision Report, dated July 6, 1990, written by Officer D. Jennes, I.D. #3594, and S. Thompson, I.D. #3746, detailing the Police Equipment Collision of July 4, 1990.

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CONCLUSION (Continued)

3. Vehicle Damage Report, form RM-1551, completed by Officer John Smith, on July 6, 1990.
4. Supervisor's Vehicle Accident Investigation Report, form RM-1567, completed by Sergeant Richard O'Hanlon, dated July 7, 1990.
5. ARJIS-9 Report written by Officer Caruso, dated July 9, 1990.
6. ARJIS-9 Report written by Officer John Smith, dated July 9, 1990.
7. Vehicle Damage Report, written by [REDACTED], dated July 12, 1990.
8. Review of Materials Policy, signed by Officer Caruso and Sergeant O'Hanlon, dated July 13, 1990.
9. Review of Materials Policy, signed by Officer Smith and Sergeant O'Hanlon, dated July 13, 1990.
10. Review of Materials Policy, signed by Officer Smith and Sergeant O'Hanlon, dated July 24, 1990.
11. Amended Collision Report completed by Sergeant Richard O'Hanlon, dated July 28, 1990, detailing the collision of July 4, 1990.
12. Amended Supervisor's Vehicle Accident Investigation Report, form RM-1567, completed by Sergeant Richard O'Hanlon, dated July 24, 1990.
13. Internal Affairs Investigation #90-003, completed 07-25-90, by Sergeant Joel Bryden which includes all related materials.
14. San Diego Police Department Training Bulletin #89-2, Anabolic Steroids, dated April 4, 1989, written and prepared by Special Agent Joe Kenney, California Department of Justice, Bureau of Narcotic Enforcement.
15. [REDACTED]
16. [REDACTED]
17. [REDACTED]

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CONCLUSION (Continued)

The tape recorded interviews of Officers Smith and Caruso as well as the Communications tape of incident #B6548 will be maintained by Sergeant Richard O'Hanlon.

Appropriate disciplinary action is recommended.

[REDACTED]

65.
Richard M. O'Hanlon, Sergeant
Northern Beach Enforcement Team

RMO:mlr
Attachments

OFFICER #1:			NAME #1							SUPERVISOR ID #1	SUPERVISOR NAME #1					
OFFICER #2:	ID #2		NAME #2							SUPERVISOR ID #2	SUPERVISOR NAME #2					
DATE	DAY	SHIFT	HOURS	ASSIGNMENT	RADIO #1	RADIO #2	RADAR #	SHOTGUN #	EQUIP. NO.	MILEAGE OUT	MILEAGE IN					
7-4-96	WEN	N-9	1000 2000	171	N-37	N-49	O.	0	1207	0	0					
FI	DETENT	ARRESTS			AM	CITIZEN CONTACT	REFERRAL	COMM. HTO	OPEN BUS.	TRAFFIC ENFORCEMENT				SPECIAL CODE #1	SPECIAL COUNT #1	
2		FEL	MISD	DUI				HAZ	RADAR	NON-HAZ	PARK	T.W.				
R/C	V/C	TOT OST		INVESTIGATIONS			ACCIDENT TYPE	COLLISION ENFORCEMENT				SPECIAL CODE #2	SPECIAL COUNT #2			
	18	60		CRIME	OTHER	VEH IMP	VEH REC	ACCIO.	CITY EOP.	H&L	DUI	NV	MISD/CIT	ARR/CIT		
TIME RECEIVED	TIME IN SERVICE	TYPE	BEACH ENFORCEMENT TEAM MISDEMEANOR CITATIONS ONLY.						TOTAL ALCOHOL RELATED CONTACTS				TOTAL OST			
			LOCATION	11357b	25662	63.20.5e	63.02.8a	56.54	OTHER	TOTAL TIME SPENT ON ALCOHOL CONTACTS						
1000	1100	R/TN	NORTHERN	4/0	EQP ✓							M.R.	60			
110	1130	V/C	2000 GRAND	245	BAT			VARIA ✓ NEG					20			
1140	1145	V/C	1400 RADI	504	A			C-4					5			
1155	1205	V/C	SKI BEACH	CONTR	MOTOR UNIT			10-22 ✓					10			
1205	1230	V/C	4500 MISSION	415	FIGHT			C-4 1/2 GRA					25			
1	1	F/T	" "													-
1235	1315	V/C	San Luis Rey & Mission	10-88	Now			C-4					20			
1315	1325	V/C	BALBOA & MISSION	10-88	10851			C-4 SIC					10			
1325	1357	V/C	700 JEWEL	10-88	GROUND			11-47 C-4					20			
1430	1440	V/C	MARINERS	415	FIGHT			C-4 MOTOR UNIT					10			
1510	1520	V/C	3000 OCEAN	415	FIGHT			10-88	WALKING UNIT C-4					10		
1530	1540	V/C	800 W MISSION	481	VEHICLE			✓ NEG					10			
1600	1615	V/C	DR ANITA	10-88	Now			C-4 SIC					15			
1650		R/CIT	BAYSIDE - 3600													-
1715	1745	V/C	3800 STRAND WAY	1082	W/M UNIT			C-4					30			
-	-	F/I													-	
-	-	C	" "								NOISER PROBLEM					-
1800	1825	V/C	3500 STRANDWT	10-87	W/	1722	P/U BIKER TO BIKER						25			
1835		R/CIT														
1850	1900		3000 OCEAN	415	FIGHT			C-4					15			

SAN DIEGO POLICE DEPARTMENT TRAFFIC COLLISION REPORT

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PRIMARY CAUSE SPEED ON 22350 AC		NO. INJURED 0	H & R FELONY <input type="checkbox"/>	CITY SANDIEGO	BEAT 122	COLLISION NUMBER						
NO. KILLED 0		H & R MISD. <input type="checkbox"/>	COUNTY SAN DIEGO	NCIC # 3711	OFFICER ID. # 3594							
LOCATION	COLLISION OCCURRED ON 1100 SEA WORLD DR. BET. PACIFIC HWY AND I-5				MO. 7 DAY 4 YR. 90 TIME 1801	DAY OF WEEK S M T W F S	EMERGENCY <input checked="" type="checkbox"/>					
					INJURY: FATAL OR TOW AWAY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		STATE HIGHWAY RELATED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
	AT INTERSECTION WITH OR: 188 ⁴ FEET MILES				NO. VEH'S. INV'L'D. ONE		PHOTOGRAPHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
CLASS OF COLLISION <input type="checkbox"/> 1. Fatal <input type="checkbox"/> 2. Injury <input checked="" type="checkbox"/> 3. Prop. Damage Only		1. At Intersection <input type="checkbox"/> 2. Not at Intersection <input type="checkbox"/> 3. On Public Property <input type="checkbox"/> 4. On Private Property	ON STREET <input checked="" type="checkbox"/>	INVESTIGATED AT SCENE	FOR OFFICE USE	FOR OFFICE USE	TOTAL					
			OFF STREET <input type="checkbox"/>	<input type="checkbox"/> NOT AT SCENE								
					IMD. FORM SENT <input type="checkbox"/>							
PARTY 1	DRIVER'S LICENSE NUMBER			STATE	CLASS	SAFETY EQUIP.	VEH. YR.	MAKE/MODEL/COLOR	BLK/WHT 88 FORD CROWN V	LICENSE NUMBER FE1207	STATE CA	
DRIVER	NAME (FIRST, MIDDLE, LAST) JOHN CHARLES SMITH						OWNER'S NAME/ADDRESS CITY OF SANDIEGO SUITE 800 92101			<input type="checkbox"/> SAME AS DRIVER		
PEDES-TRIAN	STREET ADDRESS 1401 BROADWAY N-9			DIR. OF TRAVEL 1100 SEAWORLD DR.	ON STREET OR HIGHWAY						SPEED 3040	
PARKED VEH.	CITY/STATE/ZIP SD CA 92101											
BICY-CLIST	SEX	HAIR	EYES	HEIGHT	WEIGHT	BIRTHDATE	RACE					
OTHER	HOME PHONE ()			BUSINESS PHONE ()								
INSURANCE CARRIER SELF CITY OF SANDIEGO			POLICY NUMBER									
PARTY 2	DRIVER'S LICENSE NUMBER			STATE	CLASS	SAFETY EQUIP.	VEH. YR.	MAKE/MODEL/COLOR	LICENSE NUMBER	STATE		
DRIVER	NAME (FIRST, MIDDLE, LAST)						OWNER'S NAME/ADDRESS			<input type="checkbox"/> SAME AS DRIVER		
PEDES-TRIAN	STREET ADDRESS			DIR. OF TRAVEL	ON STREET OR HIGHWAY						SPEED	
PARKED VEH.	CITY/STATE/ZIP											
BICY-CLIST	SEX	HAIR	EYES	HEIGHT	WEIGHT	MO. BIRTHDATE DAY	YR.	RACE				
OTHER	HOME PHONE ()			BUSINESS PHONE ()								
INSURANCE CARRIER			POLICY NUMBER									
SKETCH SEE LARGE DIAGRAM												
INDICATE NORTH												
INITIAL CONTACT POINT 188⁴ W. OF THE WCL OF I-5 SIB ON RAMP. 41⁴ N. OF THE SCL OF 1100 SEAWORLD DR.												
INVESTIGATION NARRATIVE/ADDITIONAL WITNESSES												
SIZE COLLISION SUMMARY												
COLLISION NUMBER:												

COLLISION SUMMARY

Pg 7 of 10

COLLISION LOCATION 100 SEAWORLD DR. BET. PACIFIC HWY AND I-5 DATE 7/4/90 TIME 18:01

OFFICER'S CONCLUSIONS: (SUMMARIZE THE COLL. INV. WITH A WORD PICTURE. INCLUDE ALL EVIDENCE NECESSARY TO SUPPORT CHARGE.)

V-1 IS A MARKED BLACK AND WHITE POLICE CAR WITH EMERGENCY OVER HEAD LIGHTS AND SIREN. V-1 WAS DRIVEN BY OFFICER SMITH #4047 AND OFFICER CARUSO #4009 WAS THE FRONT SEAT PASSENGER.

ON 7/4/90 P-1 WAS IN ROUTE TO A COVER CALL E/B ON 1100 SEAWORLD DR. DUE TO TRAFFIC CONGESTION P-1 DROVE ON THE SIMULATED ISLAND. P-1 SAW THE RAISED ASPHALT CENTER MEDIAN AND ATTEMPTED TO STOP LEAVING 30 FT. OF LOCKED WHEEL SKID. P-1'S SPEED WAS TOO GREAT TO STOP PRIOR TO HITTING THE RAISED MEDIAN WITH THE UNDER CARRIAGE OF THE CAR. P-1 CONTINUED TO THE COVER CALL ON THE RAISED CENTER MEDIAN. P-1 CAME OFF THE MEDIAN AS HE PROCEEDED THROUGH THE INTERSECTION OF SEAWORLD DR. AND I-5'S S/B ON RAMP. THE COVER CALL WENT C-4 PRIOR TO P-1'S ARRIVAL.

EQUIPMENT 1207 WAS DRIVEN THE REST OF THE SHIFT AND PARKED AT THE NORTHERN PARKING LOT AT THE END OF THE SHIFT.

ON 7/6/90 A RANDOM ROAD TEST WAS DONE ON EQUIPMENT #1207 BY [REDACTED], A GARAGE MECHANIC. [REDACTED] NOTICED THAT THE

REPORTING OFFICER
D. JENNES

I.D. NUMBER 5594	DIVISION F2	DATE AND TIME 7/6/90 2100
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OFFICER'S REPORT ONLY

SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE

CONTINUED: ARR./JUV.CON.
 FROM CRIME
 OTHER _____

PAGE 5 OF 10	CASE NUMBER		
YEAR 90	DAY OF WEEK WED	TIME 1900	BEAT
			DISTRICT

I WAS PASSENGER IN VEHICLE #1207, OFFICER SMITH #4047 WAS THE DRIVER. WE WERE IN ROUTE TO A COVER NOW AT DE ANZA COVE. WE WERE IN THE AREA OF FIFTH ISLAND, TRAVELING E/B OR SEA WORLD APPROACHING I-5. TRAFFIC WAS BACKED UP AT THE LIGHT AT I-5 AND SEA WORLD SO WE MOVED INTO THE SIMULATED DIVIDER AREA. WE THEN STRUCK THE CENTER DIVIDER / ISLAND AND RODE ON TOP OF IT AND OFF BACK onto SEA WORLD AND HEADED TO N/B I-5. AT THAT POINT THERE DID NOT APPEAR TO BE ANY DAMAGE TO THE CAR. WE CONTINUED N/B I-5, since CODE-3, with a "CODE-4" was BROADCAST AND WE TURNED OFF OUR LIGHTS AND SIREN.

WE THEN WENT TO MISSION BAY HOSPITAL TO LOOK
AT THE VEHICLE. EVERYTHING APPEARED TO BE FINE.
WE FINISHED THE REST OF THE SHIFT AND DID NOT
FIND OUT ABOUT THE DAMAGE UNTIL 7-6-90 WHEN
A MEMBER OF NORMAN'S GARAGE TOLD US ABOUT THE DAMAGE.

ADDITIONAL INFO: WE BOTH HAD OUR HARNESS BELTS ON AND WERE TRAVELING ABOUT 30 MPH.

REPORTING OFFICER <i>Caruso, P.</i>	I.D. # <i>4005</i>	DIVISION <i>N-7</i>	APPROVED BY: <i></i>	DATE OF REPORT: <i>07</i>	MONTH <i>06</i>	DAY <i>90</i>	YEAR <i>2040</i>	TIME
--	-----------------------	------------------------	-------------------------	------------------------------	--------------------	------------------	---------------------	------

OFFICER'S REPORT ONLY
CONTINUED: ARR./JUV.CON.
 CRIME
 OTHER _____

SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE

PAGE 7 OF 10 CASE NUMBER _____

CO	SECTION AND DESCRIPTION (ONE INCIDENT ONLY)	MONTH	DAY	YEAR	DAY OF WEEK	TIME
LOCATION OF INCIDENT (OR ADDRESS)		CITY		BEAT	DISTRICT	
PERSON(S) INVOLVED: VICTIM		SUSPECT (IF NAMED)		PROPERTY TAG NO. (S)		

I WAS E/B ON SEA WORLD DR GOING CODE-3 TO A COVER CALL AT DEANZA COVE. I WAS DRIVING ON THE CENTER ISLAND AROUND THE STOPPED TRAFFIC. I HIT THE CURB AT 15. I WAS GOING ABOUT 30 MPH WHEN I HIT THE CURB. THE CALL WENT CODE-4 BEFORE WE ARRIVED. WE DROVE OVER TO MISSION BAY HOSPITAL. WHEN I LOOKED UNDER THE CAR FOR DAMAGE, THE STEERING FEEL LIKE IT WAS OFF BUT IT WAS DRIVING OK. I DID NOT THINK THERE WAS ANY DAMAGE TO THE CAR. I THOUGHT THE ALIGNMENT WAS OFF.

REPORTING OFFICER <i>Smart, John</i>	I.D. # <i>4047</i>	DIVISION <i>A-9</i>	APPROVED BY: _____	MONTH <i>7</i>	DAY <i>6</i>	YEAR <i>90</i>	TIME <i>2040</i>
				DATE OF REPORT: _____			

Collision Diagram

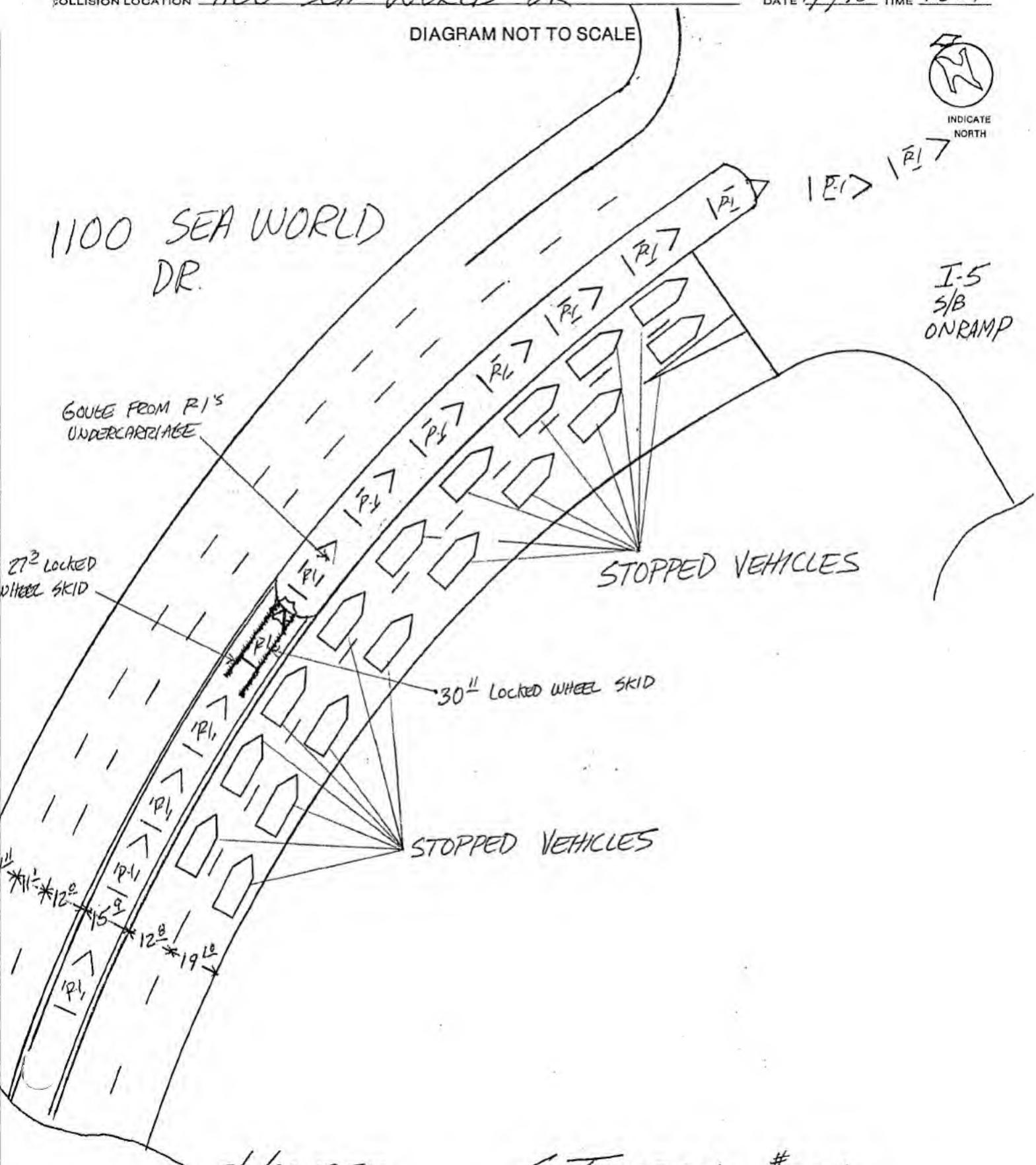
COLLISION LOCATION

1100 SEA WORLD DR.

DATE 7/6/90

TIME 1801

DIAGRAM NOT TO SCALE

INDICATE
NORTH

DATE & TIME OF REPORT

7/7/90 1355

OFFICER(S)

S. THOMPSON

3746

POLICE EQUIPMENT ACCIDENT
DATA SHEET

DATE: 7-4-90 TIME: 1900 LOCATION: SEA WORLD AT I.S

WEATHER: CLEAR DAY OF WEEK: WED

NAME AND I.D.: SMITH JOHN

DATE OF HIRE: 7-24-86 YEARS: 3

DATE OF BIRTH: [REDACTED] AGE: [REDACTED]

WATCH/DIVISION: N-9 BEAT: 171

UNIT NUMBER: 171²

DAYS WORKED THIS WEEK: 1ST DAY / OVERTIME ON DAY OFF

HOURS WORKED TODAY: _____

SEAT BELT: HARNESS: LAP BELT:

#1 PASSENGER: NAME: #OFFICER -- CIVILIAN:

CARUSO PETER 4009

SEAT BELT: HARNESS: LAP BELT:

#2 PASSENGER: NAME: #OFFICER -- CIVILIAN

SEAT BELT: HARNESS: LAP BELT:

ESTIMATE OF SPEED: 30 MPH

NATURE OF CALL COVER CALL

EQUIPMENT NUMBER/MILES: 1207 MILES: 82110

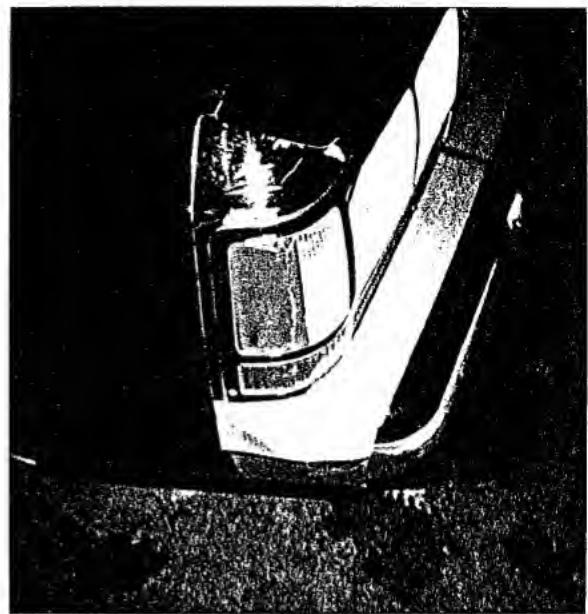
EMERGENCY LIGHTS: YES: NO:

ALL-RED/BLUE/YELLOW: X

SIREN: X HEADLIGHTS: ✓

HEADLIGHTS: X BRIGHTS: ✓

BRIGHTS: — SPOTLIGHT: X



11-32 POLICE





**SUPERVISORS VEHICLE ACCIDENT
INVESTIGATION REPORT**

ORIGINAL - SAFETY DIVISION
YELLOW - CLAIMS
GREEN - ORIGINATING DEPT.

EMPLOYEE AND VEHICLE INFORMATION	1. EMPLOYEE NAME (PRINT LAST, FIRST, M.I.)		2. SOCIAL SECURITY NUMBER	3. DEPT./DIVISION	4. DATE OF ACCIDENT	
	SMITH, JOHN C.			Police-Northern	07 04 90	
	5. JOB CLASSIFICATION		6. EMPLOYEE STATUS: SEASONAL <input type="checkbox"/> C PERM PART TIME <input type="checkbox"/> A HOURLY <input type="checkbox"/> D PERM FULL TIME <input checked="" type="checkbox"/> B LIMITED <input type="checkbox"/> E		7. EMPLOYEE WORKING OVERTIME WHEN ACCIDENT OCCURRED?	
	Police Officer II				NO <input type="checkbox"/> A EXTENDED SHIFT <input type="checkbox"/> B CALL BACK <input checked="" type="checkbox"/> C	
	8. TIME IN CLASSIFICATION:		9. EMPLOYED WITH CITY:	10. EXPERIENCE WITH VEHICLE:	11. CITY VEHICLE:	12. IF YES, GIVE EQUIP. NUMBER
	LESS THAN 30 DAYS <input type="checkbox"/> A 1 TO 3 MONTHS <input type="checkbox"/> B 4 MOS. TO 1 YEAR <input type="checkbox"/> C 1 TO 5 YEARS <input checked="" type="checkbox"/> D OVER 5 YEARS <input type="checkbox"/> E		LESS THAN 1 YEAR <input type="checkbox"/> A 1 TO 5 YEARS <input checked="" type="checkbox"/> B 6 TO 10 YEARS <input type="checkbox"/> C OVER 10 YEARS <input type="checkbox"/> D	IN TRAINING <input type="checkbox"/> A LESS THAN 3 MOS. <input type="checkbox"/> B 4 MOS. TO 1 YEAR <input type="checkbox"/> C 1 TO 5 YEARS <input checked="" type="checkbox"/> D OVER 5 YEARS <input type="checkbox"/> E	YES <input checked="" type="checkbox"/> A	1207 (1)
					NO <input type="checkbox"/> B	
					13. VEHICLE SIZE & TYPE (EX. 3/4 TON P/U)	4 door sedan
					14. VEHICLE MAKE & YEAR (EX. FORD/1969)	1988 Ford
	15. ACTION OF CITY VEHICLE: (CHECK ALL THAT APPLY)					
PARKED <input type="checkbox"/> A STOPPED IN TRAFFIC <input type="checkbox"/> B PREPARING TO STOP <input type="checkbox"/> C STARTING IN TRAFFIC <input type="checkbox"/> D MOVING FORWARD <input checked="" type="checkbox"/> E		LEFT TURN <input type="checkbox"/> F RIGHT TURN <input type="checkbox"/> G U-TURN <input type="checkbox"/> H ROLLAWAY <input type="checkbox"/> I BACKING <input type="checkbox"/> J	CHANGING LANES <input type="checkbox"/> K OTHER (BE SPECIFIC) <input type="checkbox"/> Z	16. ACCIDENT SITE: YARD <input type="checkbox"/> A OFF ROAD/ <input type="checkbox"/> F STREET <input checked="" type="checkbox"/> B LANDFILL ALLEY <input type="checkbox"/> C PRIVATE PROP <input type="checkbox"/> G PARK <input type="checkbox"/> D FREEWAY <input type="checkbox"/> H BEACH <input type="checkbox"/> E OTHER <input type="checkbox"/> Z		
17. DAMAGE TO: (CHECK ALL THAT APPLY)		18. INJURIES:	19. TYPE OF RESPONSE: EMERGENCY <input checked="" type="checkbox"/> A NON-EMER. <input type="checkbox"/> B	20. ACCIDENT PROPERLY REPORTED YES <input type="checkbox"/> A NO <input checked="" type="checkbox"/> B		
CITY VEHICLE <input checked="" type="checkbox"/> A EMPLOYEE VEHICLE <input type="checkbox"/> B OTHER VEHICLE <input type="checkbox"/> C CITY PROPERTY <input checked="" type="checkbox"/> D OTHER PROPERTY <input type="checkbox"/> E		NONE <input checked="" type="checkbox"/> A CITIZEN <input type="checkbox"/> B EMPLOYEE <input type="checkbox"/> C BOTH <input type="checkbox"/> D	21. AT TIME OF ACCIDENT HAD TRAINING BEEN GIVEN: WITHIN 30 DAYS <input type="checkbox"/> 6 MOS. TO 1 YEAR <input checked="" type="checkbox"/> OVER 5 YEARS <input type="checkbox"/> 1 TO 6 MONTHS <input type="checkbox"/> 1 TO 5 YEARS <input type="checkbox"/> NONE GIVEN <input type="checkbox"/>	22. LOCATION OF ACCIDENT: 1100 Sea World Drive		
23. TIME OF DAY 4:00 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.						
DESCRIBE HOW ACCIDENT OCCURRED, INCLUDE ANY VIOLATIONS OF CITY OR DEPT. POLICY; ACTION OF OTHER VEHICLE, ROAD CONDITIONS, EQUIPMENT MALFUNCTION, ETC. (BE SPECIFIC): SEE ATTACHED REPORT						

ANALYSIS

CAUSE

EVENT/N

PRIMARY CAUSE OF ACCIDENT (WHY DID THE ACCIDENT OCCUR): SPEED FOR CONDITIONS	

WHAT HAS BEEN/WILL BE DONE TO PREVENT RECURRENT (PLACE AN "X" BY ITEMS COMPLETED): THIS COLLISION WILL BE REVIEWED AT THE COMMAND LEVEL FOR DISPOSITION.	

Richard M. O'HANLON, Sergeant PHONE # DATE: 7-9-90

SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT

DATE (occur.): July 4, 1990

TIME (occur.): 1600 hours

LOCATION: 1100 Sea World Drive

SUBJECT: Supervisor's Investigation of Police Equipment Collision

Officer John C. SMITH #4047 was driving police equipment number 1207 on July 4, 1990. Officer Peter J. CARUSO #4009 was the passenger officer.

Officers SMITH and CARUSO were responding to a "Cover Now" call at De Anza Cove at approximately 1600 hours. Traffic was extremely congested on Sea World Drive due to the July 4th holiday. SMITH was driving northbound on Sea World Drive in the center island (painted) trying to avoid traffic. Prior to entering the island SMITH activated the vehicle's emergency lights and siren.

SMITH proceeded northbound on Sea World Drive and was approaching the I-5 overpass. As SMITH approached the south edge of the bridge there is a raised asphalt island. SMITH was driving over thirty(30) m.p.h. at this point.

SMITH attempted to avoid the island by braking. SMITH struck the south edge of the island with the front end of equipment 1207. The unit became airborne and landed on the island. Gouge marks were found at the point of impact and where the undercarriage contacted the island. SMITH continued driving northbound on the island. The "Cover Now" call went "Code Four" prior to SMITH and CARUSO arriving.

SMITH drove the vehicle to Mission Bay Hospital where both he and CARUSO "inspected" the vehicle for damage. SMITH and CARUSO later stated that they did not find any damage. They also stated that the vehicle was difficult to shift and appeared to be out of alignment immediately after striking the island.

SMITH drove the vehicle until the end of his shift. (2400 hours) He parked the vehicle at the Northern Division station. Northern Division garage personnel located the damaged unit at approximately 0700 on Thursday. (07-05-90) Lieutenant R. JAMES #1469 was notified of the damaged vehicle shortly after its discovery.

Equipment number 1207 is assigned to the Northern Division Beach Enforcement Team.

On Thursday morning, 07-05-90, Lieutenant JAMES contacted me and advised me of the damaged vehicle. I recall seeing SMITH and CARUSO driving a black and white sedan on July 4th. I do not recall the equipment number.

Reporting Officer Sgt. Richard M. O'HANLON I.D. # 2699 Division N-B.E.T.
Approved By _____ Date of this report 07-07-90 Time 1930

SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT

DATE (occurr.):

TIME (occurr.):

LOCATION:

SUBJECT: Police Equipment Collision pg. 2

On 07-06-90 I was in the process of trying to locate SMITH and CARUSO's daily activity journal for 07-04-90. I saw SMITH and CARUSO at the garage area of Northern. Unit number 1207 was up on the rack at this time.

Officer SMITH stated at this point, "I guess I really damaged the car." This was at approximately 1820 hours. (SMITH and CARUSO were both off on Thursday, 07-06-90) A Traffic unit and Traffic supervisor responded to Northern Division. The accident scene was located and a collision report was made.

The damage to equipment number 1207 includes but is not limited to the following: bent front rims, a broken gear shift indicator, fractured right turn signal, front bumper damage, hood damage and substantial engine and undercarriage damage.

Based on the damage to Unit number 1207 and the damage located at the collision scene the following conclusion is reached.

Officer John C. SMITH was involved in a police equipment collision on 07-04-90 at approximately 1600 hours. The damage to Unit number 1207 was of such magnitude that SMITH and his partner Peter J. CARUSO should have known that they were involved in a police equipment collision.

Officer John C. SMITH, the driver, failed to properly report the collision to a police supervisor according to established department policy.

Reporting Officer Sgt. Richard M. O'HANLON I.D. # 2699 Division N-B.E.T.

Approved By _____ Date of this report 07-07-90 Time 1930



OFFICER'S REPORT ONLY

CONTINUED: ARR./JUV.CON.
 CRIME
 OTHER

SAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE

PAGE 1 OF 2 CASE NUMBER

CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY)

MONTH 07 DAY 04 YEAR 90 DAY OF WEEK WED TIME 2030

LOCATION OF INCIDENT (OR ADDRESS)

CITY

BEAT

DISTRICT

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

THE REPORT I SUBMITTED IN REGARDS TO
THE ACCIDENT AT SEA WORLD AND I-5 WAS IN
ERROR REGARDING THE TIME AND DESTINATION.
WE WERE IN ROUTE TO THE NORTHERN SUB
AT APPROXIMATELY 2230 HRS. WE INSPECTED THE
VEHICLE AT THE NORTHERN SUB

REPORTING OFFICER I.D. # DIVISION APPROVED BY: MONTH DAY YEAR TIME
CARUSO, P 4008 N-9 D.F. DOUGLAS, SGT 2231 07 09 90 1130

DATE OF REPORT:

CONTINUED



OFFICER'S REPORT ONLY

CONTINUED: ARR./JUV.CON.
 CRIME
 OTHERSAN DIEGO REGIONAL
OFFICER'S REPORT
NARRATIVE

PAGE 1 OF 2 CASE NUMBER

JOE SECTION AND DESCRIPTION (ONE INCIDENT ONLY)

MONTH 07 DAY 04 YEAR 90 DAY OF WEEK WED TIME 2230

11 82 POLICE

LOCATION OF INCIDENT (OR ADDRESS)

CITY

BEAT

DISTRICT

PERSON(S) INVOLVED: VICTIM

SUSPECT (IF NAMED)

PROPERTY TAG NO. (S)

THE REPORT I SUBMITTED ABOUT THE ACCIDENT
ON 07.04.90 AT SEA WORLD DR. AND I-5 WAS IN
ERROR REGARDING THE TIME AND DESTINATION. WE
WERE IN ROUTE TO THE NORTHERN 60B AT APPROXIMATELY
2230 HRS. WE INSPECTED THE CAR AT NORTHERN.

REPORTING OFFICER

I.D. #

DIVISION

APPROVED BY:

2237

SMITH

4047

N-9

D.F. DUGGAS, SGT

DATE OF REPORT:

MONTH

DAY

YEAR

TIME

07 09 90 1130

CONTINUED

DAMAGE REPORT

Equipment # 1207

Date: 7-12-90

Page 1 of

Year: 1988 Make: FORD

Model: CRN Victoria 4DR

Mileage: 82,125

Vin # 2FABP72FOJX172035

License # E-091830

Written by:

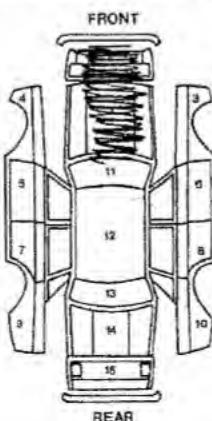
Title: METAL FAB Supervisor

LINE NO	REPAIR	REPLACE	DESCRIPTION OF DAMAGE	PARTS PRICE	BODY LABOR	FRAME LABOR	PAINT LABOR	MECH LABOR	SUPPLIES	MISC.
1										
2	✓		GRILLE PANEL		1.0		2.1			
3	✓		HOOD PANEL		1.0		2.8			
4	✓		FRAME + SQUARE Body			12.0				
5	✓		ALIGN FRONT WHEELS					1.5		
6	✓		OIL PAN w/o SENSOR	106.18				3.8		
7	✓		" " GASKET KIT	14.78				INC		
8	✓		DECALS	1.50			.2		76.50	
9										
10										
11										
12										
13										
14										
15										
17										
18			\$945.38							
19										
20										
21										
22										
23										
24										
25										
26										
27										
28										
29			TOTALS ►	122.46	2.0	12.0	5.1	5.3	76.50	



THE CITY OF
SAN DIEGO
SAN DIEGO POLICE DEPARTMENT
330 12th Avenue
San Diego, California 92101
MS 730

Telephone:



120	PARTS PRICE	\$ 122.46
102	BODY LABOR 2.0 HRS. @ \$30 ⁰⁰	\$ 60.00
104	FRAME LABOR 12.0 HRS. @ \$11 ⁰⁰	\$ 132.00
103	PAINT LABOR 5.1 HRS. @ \$153 ⁰⁰	\$ 76.50
101	MECH. LABOR 5.3 HRS. @ \$159 ⁰⁰	\$ 159.00
125	SUPPLIES	\$ 76.50
130	SUBLET	\$
134	TOWING	\$
	TAX	\$ 14.48
	TOTAL	\$945.38

INTERNAL AFFAIRS

REVIEW OF MATERIALS POLICY

During the Administrative portion of an Internal Affairs investigation, subject officers are entitled to review all non-confidential information obtained by Internal Affairs investigators prior to being interviewed.

All information, includes non-confidential citizen complaint forms, investigator notes, tape recorded interviews, witness statements and photographs. This right does not apply if an officer is the subject of a criminal investigation.

The right to review Internal Affairs material does not include the right to copy, photograph, tape record or make notes for the purpose of removing said material from the Internal Affairs Unit.

Subject officers will, if subject to discipline, be given a copy of all Internal Affairs materials (except tape recorded interviews) by their Commanding Officer prior to or during the imposition of discipline. Subject officers may request a copy of a tape recorded interview through their Commanding Officer.

I have read and understand the above.

[Redacted]

Officer

7-13-90

Date

[Redacted]

Internal Affairs Investigator

SERGEANT

INTERNAL AFFAIRS

REVIEW OF MATERIALS POLICY

During the Administrative portion of an Internal Affairs investigation, subject officers are entitled to review all non-confidential information obtained by Internal Affairs investigators prior to being interviewed.

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I have read and understand the above.

[Redacted]

Officer

7-13-90

Date

[Redacted]

Internal Affairs Investigator *Sgt.*

Smith 7/24/90

INTERNAL AFFAIRS

REVIEW OF MATERIALS POLICY

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I have read and understand the above.

[REDACTED]
Officer

7/24/90
Date

INTERNAL AFFAIRS INVESTIGATOR
Sgt. R. M. O'Hanlon

SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT

DATE (occur.): July 4, 1990

TIME (occur.): 2230 hours

LOCATION: 1100 Sea World Drive

SUBJECT: AMENDED REPORT-Police Equipment Accident-Officer John C. SMITH ID 4047

"FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR THE CITY ATTORNEY"

The original traffic report submitted by Officers JENNES #3594 and THOMPSON #3746 concerning the police equipment accident with Officer John C. SMITH #4047 must be amended for the following reasons:

1. The original report lists the time of the accident as 1801 hours. Further investigation revealed that the accident occurred at 2230 hours.
2. The initial report indicates that SMITH was driving in a "CODE THREE" response to a "COVER NOW" call at De Anza Cove. In fact, SMITH was driving through the center island with his red and yellow lights only when the collision occurred. SMITH was enroute to the Northern Division station when he struck the island. SMITH was NOT responding to any radio call. SMITH was driving through the island to avoid traffic that had backed up on Sea World Drive due to the Fourth of July fireworks.

The investigation into the collision is continuing. Also the fact that the accident was not properly reported is being investigated.

Appropriate disciplinary action will be recommended for Officers SMITH and CARUSO for their involvement in this incident.

A revised collision report, dated 7-28-90 is attached.

"FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR THE CITY ATTORNEY"

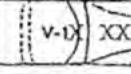
Reporting Officer Richard M. O'HANLON, Sergeant I.D. # 2699 Division N-B.E.T.

Approved By _____ Date of this report 7-28-90 Time 1800

AMENDED REPORT

SAN DIEGO POLICE DEPARTMENT TRAFFIC COLLISION REPORT

Page 1 of 10

PRIMARY CAUSE SPEED SECTION 22350	NO. INJURED 0	H & R FELONY <input type="checkbox"/>	CITY SAN DIEGO	BEAT 121	COLLISION NUMBER				
	NO. KILLED 0	H & R MISD. <input type="checkbox"/>	COUNTY SAN DIEGO	NCIC # 3711			OFFICER I.D. # 2699		
LOCATION	COLLISION OCCURRED ON 1100 Sea World Drive bet. Pacific Hwy. and I-5				MO. 07 DAY 04 YR. 90 TIME 2230	DAY OF WEEK S M T W T F S EMERGENCY VEH. <input checked="" type="checkbox"/>			
					INJURY, FATAL OR TOW AWAY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	STATE HIGHWAY RELATED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
	AT INTERSECTION WITH OR 188' 9" FEET/MILES West OF WCL of S/B I-5 on-ramp				NO. VEH'S. INVLD. ONE	PHOTOGRAPHS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
CLASS OF COLLISION <input type="checkbox"/> 1. Fatal <input type="checkbox"/> 2. Injury <input checked="" type="checkbox"/> 3. Prop. Damage Only Property Only <input type="checkbox"/> 4. On Private Property		INVESTIGATED <input checked="" type="checkbox"/> AT SCENE <input type="checkbox"/> NOT AT SCENE	FOR OFFICE USE IMD. FORM SENT <input type="checkbox"/>		FOR OFFICE USE HR SAF GAR SSP SAC PRO COR INS	TOTAL			
PARTY 1	DRIVER'S LICENSE NUMBER	STATE	CLASS	SAFETY EQUIP. B	VEH. YR. 1988 MAKE/MODEL/COLOR Ford Crown Vic-4dr.		LICENSE NUMBER E091830 #1207 CA		
DRIVER	NAME (FIRST, MIDDLE, LAST) <input checked="" type="checkbox"/> JOHN CHARLES SMITH #4047					OWNER'S NAME/ADDRESS City of San Diego, 2010 2nd Ave. Suite 800			
PEDES-TRIAN	STREET ADDRESS 1401 Broadway Northern Beach Team N-9					DIR. OF TRAVEL E ON STREET OR HIGHWAY 1100 SeaWorld Drive	SPEED 30 LIMIT 40		
PARKED VEH.	CITY/STATE/ZIP San Diego, Ca 92101					DESCRIBE VEHICLE DAMAGE  <input checked="" type="checkbox"/> UNKN. <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input checked="" type="checkbox"/> MOD. <input type="checkbox"/> MAJOR <input type="checkbox"/> TOTAL			
BICY-CLIST	SEX	HAIR	EYES	HEIGHT	WEIGHT	BIRTHDATE	RACE		
OTHER	HOME PHONE () BUSINESS PHONE ()					DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input checked="" type="checkbox"/> OTHER  NORTHERN POLICE GARAGE			
PARTY 2	DRIVER'S LICENSE NUMBER	STATE	CLASS	SAFETY EQUIP.	VEH. YR.	MAKE/MODEL/COLOR	LICENSE NUMBER		
DRIVER	NAME (FIRST, MIDDLE, LAST)					OWNER'S NAME/ADDRESS SAME AS DRIVER			
PEDES-TRIAN	STREET ADDRESS					DIR. OF TRAVEL	ON STREET OR HIGHWAY	SPEED	SPEED LIMIT
PARKED VEH.	CITY/STATE/ZIP					DESCRIBE VEHICLE DAMAGE  <input type="checkbox"/> UNKN. <input type="checkbox"/> NONE <input type="checkbox"/> MINOR <input type="checkbox"/> MOD. <input type="checkbox"/> MAJOR <input type="checkbox"/> TOTAL			
BICY-CLIST	SEX	HAIR	EYES	HEIGHT	WEIGHT	MO. BIRTHDATE DAY YR.	RACE		
OTHER	HOME PHONE () BUSINESS PHONE ()					DISPOSITION OF VEHICLE ON ORDERS OF: <input type="checkbox"/> OFFICER <input type="checkbox"/> DRIVER <input type="checkbox"/> OTHER			
INSURANCE CARRIER POLICY NUMBER									
SKETCH SEE LARGE DIAGRM									
INITIAL CONTACT POINT 188' 9" W of WCL I-5 S/B on-ramp 44' 4" N of NCL of 1100 Sea World Drive									
SEE COLLISION SUMMARY									
INVESTIGATION NARRATIVE/ADDITIONAL WITNESSES									
AMENDED REPORT									
COLLISION NUMBER:									



RICHARD M. UHANLON, Sergeant

I.D. NUMBER

DIVISION

DATE - TIME

7-28-90 1800

APPRO

COLLISION INTERVIEWS

(Driver/Passenger/Witness)

Pg 3 of 10

COLLISION LOCATION 1100 Sea World Drive		DATE 07-04-90	TIME 2230
<input type="checkbox"/> DRIVER NAME <input type="checkbox"/> OCCUP. <input type="checkbox"/> WIT. VEH. # One		ADDRESS 1401 Broadway San Diego PHONE HOME [REDACTED]	
		PHONE WORK [REDACTED]	

SMITH stated essentially the following:

I was driving. The accident happened about 10:30 PM. We were heading into the station after we had left the command post. The traffic on Sea World Drive was real heavy. I was driving through the center island to get around traffic. I was not responding to a call.

I had my yellow amber on and the red light to the front on. I was tapping the siren.

I hit the island just before I-5. I drove straight to the station. I looked at the car at the station. I didn't notice any damage. This was about 11:15 PM.

I was going about 30 mph when I hit the island.

<input type="checkbox"/> DRIVER NAME <input checked="" type="checkbox"/> OCCUP. <input type="checkbox"/> WIT. VEH. # One		ADDRESS 1401 Broadway San Diego PHONE HOME [REDACTED]
		PHONE WORK [REDACTED]

This interview was conducted on 7-24-90 at approximately 0730 hours.

John was driving. We were heading into the station. Traffic was real heavy because of the fireworks. We were going about 30 mph. We hit the raised center island around I-5. We parked the car near the car wash. I looked at the front of car and didn't see any damage. We were not going to a cover call.

				COLL. NO.
 [REDACTED]				
REPORT	Richard M. J'HANLON, Sergeant 	I.D. NUMBER 2699	DIVISION N-9	DATE AND TIME 07-28-90 1800

COLLISION INTERVIEWS

(Driver/Passenger/Witness)

Pg 4 of 10

COLLISION LOCATION

1100 Sea World Drive

DATE

7-4-90

TIME

2230

DRIVER NAME
 OCCUP.
 WIT.

VEH. #

ADDRESS

PHONE HOME

PHONE WORK

This interview was conducted over the telephone on 7-9-90 at approximately

1410 hours. [REDACTED] stated essentially the following:

I was with [REDACTED] We were on Sea World Drive heading towards the freeway. I was about 10:30 PM. It was after the fireworks and traffic was really backed up. I was in the fast lane, (N-1). I had my windows down. I saw flashing lights. I did not hear a siren.

The police car was going about 50 mph. I heard a skid and saw them hit the island. They went airborne. When they hit the ground two hubcaps came off the car. I thought they might have hit a sign, but I can't swear to it.

(AT THIS POINT I HAVE BEEN UNABLE TO LOCATE AND INTERVIEW [REDACTED])

DRIVER NAME
 OCCUP.
 WIT.

VEH. #

ADDRESS

PHONE HOME

PHONE WORK

REPORT

Richard M. O'HANLON, Sergeant

I.D. NUMBER

2699

DIVISION

N-9

DATE AND TIME

7-28-90 1800

H & R. NO.

COLL. NO.

COLLISION SUMMARY

Pg 5 of 10

COLLISION LOCATION			DATE	TIME
PERSON CITED	DATE OF BIRTH	CHARGE	APPEARANCE DATE	
1100 Sea World Drive			7-4-90	2230

OFFICER'S CONCLUSIONS: (SUMMARIZE THE COLL. INV. WITH A WORD PICTURE. INCLUDE ALL EVIDENCE NECESSARY TO SUPPORT CHARGE.)

Officer John C. SMITH #4047 was driving Unit #1207, a marked police sedan, California license E091830. Officer Peter J. CARUSO #4009 was the passenger officer.

SMITH was driving e/b on Sea World Drive at approximately 2230 hours.

The weather was cool and clear. The roadway surfaces were free from visable debris.

Traffic was very heavy due to the holiday and associated firework displays. 1100 Sea World Drive is a two-laned roadway. At the time of this incident both of the e/b lanes were full of traffic.

SMITH was enroute to the Northern substation to secure from his shift. SMITH activated his rear amber and front red light. SMITH drove into the simulated island to avoid the traffic congestion. SMITH would occasionally tap his vehicle's siren. SMITH was not responding to any emergency radio call.

As SMITH was driving e/b through the island he approached a 12" raised center median. SMITH was driving approximately 30 mph at this point. SMITH was driving at too great a speed to avoid striking the island. SMITH attempted evasive action by braking. SMITH's vehicle left 30 feet of locked wheel skid prior to striking the island.

SMITH struck the raised island. The force of the impact caused the vehicle to become airborne. The vehicle travelled approximately 20 feet before landing on the

H & R NO.

COLL. NO.

RE

Richard M. O'HANLON, Sergeant

I.D. NUMBER
2699DIVISION
N-9DATE AND TIME
7-28-90 1800

COLLISION SUMMARY

Pg 12 of 10

COLLISION LOCATION	DATE	TIME
1100 Sea World Drive	7-4-90	2230

OFFICER'S CONCLUSIONS: (SUMMARIZE THE COLL. INV. WITH A WORD PICTURE. INCLUDE ALL EVIDENCE NECESSARY TO SUPPORT CHARGE.)

raised median.

Gouge marks were found at the point of impact and on the median where the undercarriage struck the median. SMITH continued to drive on the median until he reached the I-5 off-ramp traffic signal. SMITH drove off the median and proceeded n/b on I-5.

SMITH drove the vehicle to the Northern station where he parked the vehicle adjacent the the car wash. SMITH and CARUSO examined the vehicle but indicated that they did not notice any damage.

Garage mechanic [REDACTED] attempted to drive Unit #1207 at 0700 on 7-5-90.

was

[REDACTED] noticed that the vehicle was difficult to steer and that the rearview mirror was missing. Unit 1207 was placed on a hoist where substantial damage was located. The damage included a cracked right turn lens, damaged oil pan, damaged stabilizer bars, both front rims were bent and dents to the hood from the engine striking it.

Traffic Officers D. JENNES #3594, S. THOMPSON #3746 and Sergeant W. CLEM #1484 responded to Northern Division on 7-6-90 when Officers SMITH and CARUSO had been identified as the individuals who were in Unit 1207 when the damage had occurred. Officers THOMPSON, JENNES, SMITH, CAURO and myself went to 1100 Sea World Drive where the collision scene was located. This was on 7-6-90 at 2100 hours.

Officers SMITH and CARUSO told the traffic officers (JENNES and THOMPSON) that they were responding to a "COVER NOW" call at De Anza Cove when the accident occurred. SMITH

told JENNES that he was driving through the center island while he was operating

REPORTING OFFICER	I.D. NUMBER	DIVISION	DATE AND TIME
Richard M. O'HANLON, Sergeant	2699	N-9	7-28-90 1800

COLLISION SUMMARYPg 7 of 18

COLLISION LOCATION 1100 Sea World Drive		DATE 7-4-90	TIME 2230
PERSON CITED	DATE OF BIRTH	CHARGE	APPEARANCE DATE
PERSON CITED	DATE OF BIRTH	CHARGE	APPEARANCE DATE

OFFICER'S CONCLUSIONS: (SUMMARIZE THE COLL. INV. WITH A WORD PICTURE. INCLUDE ALL EVIDENCE NECESSARY TO SUPPORT CHARGE.)

his emergency lights and siren when he struck the raised median. SMITH and CARUSO told the investigating units that the collision occurred at approximately 1800 hours.

Further investigation revealed that the collision occurred at 2230 hours. Officer SMITH was not properly operating his emergency equipment when the collision occurred.

(THE COLLISION DIAGRAM FROM THE INITIAL REPORT, DATED 7-6-90 BY OFFICER THOMPSON #3746 IS ACCURATE AS TO THE ICP AND MEASUREMENTS. IT WILL ALSO BE USED IN THIS REPORT)

 COLL. NO.
H. & R. NO.

REPORTING OFFICER Richard M. O'HANLON	I.D. NUMBER 2699	DIVISION N-9	DATE AND TIME 7-28-90, 1800
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COLLISION SUMMARYPg 8 of 10

COLLISION LOCATION	DATE	TIME
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OFFICER'S CONCLUSIONS: (SUMMARIZE THE COLL. INV. WITH A WORD PICTURE. INCLUDE **ALL** EVIDENCE NECESSARY TO SUPPORT CHARGE.)

*NOT
USED*

REPORTING OFFICER	I.D. NUMBER	DIVISION	DATE AND TIME
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SAN DIEGO POLICE DEPARTMENT

Collision Diagram

COLLISION LOCATION

1100 SEA WORLD DR.

DATE 7/6/90 TIME 1801

DIAGRAM NOT TO SCALE

INDICATE
NORTHI-5
S/B
ONRAMP1100 SEA WORLD
DR.27" LOCKED
WHEEL SKIDROUTE FROM P1's
UNDERCARRIAGE

30" LOCKED WHEEL SKID

STOPPED VEHICLES

STOPPED VEHICLES

DATE & TIME OF REPORT

7/7/90 1355

OFFICER(S)

S. THOMPSON

3746

SKID-SPEED INFORMATION:			SKID DATA			CENTRIFUGAL SCUFF		
DESCRIPTION OF ROADWAY			V-1	V-2	V-3	MARK USED:		
TYPE OF ROAD/CONDITION:			RF	RF	RF	LENGTH:		
ROAD CONSTRUCTION:			RR	RR	RR	CHORD:		
DIRECTION/GRADE:			LF	LF	LF	MIDDLE ORDINATE:		
			LR	LR	LR			

TEST SKID INFORMATION						TIME OF TEST:					
NO.	SPEED	L.F.	R.F.	L.F.	R.R.	TEST VEHICLE/DRIVER INFORMATION					
1						DRIVER:	I.D. NO.		DIVISION:		
2						MAKE	YEAR	MODEL	TYPE		
3						RADAR NO.	CALIBRATED		OPERATOR		
4						INTERNAL <input type="checkbox"/> TUNING FORK <input type="checkbox"/>					
						TEST COORDINATOR:	I.D. NO.		DIVISION:		
TIRE INFORMATION						TEST VEHICLE					
ACCIDENT VEHICLE						MANUFACTURE:					
MANUFACTURE:						MODEL:					
MODEL:						TYPE:					
TYPE:						SIZE:					
SIZE:						PSI:					
PSI:						HOW WAS I.C.P. ESTABLISHED?:					
PHOTOS TAKEN? POLAROID: _____ 35 MM: _____											
DRAG FACTOR: TEST SKID <input type="checkbox"/>						ESTIMATE <input type="checkbox"/>					

CALCULATIONS/DESCRIPTION OF DIAGRAM:

Not
Used

SYMBOLS		FORMULAS			CENTRIFUGAL SCUFF EXAMPLE	
μ = DRAG FACTOR S = SPEED MPH V = SPEED FPS D = DISTANCE SKID LENGTH(FT.)	$g = \text{GRAVITATIONAL CONSTANT (0.981)}$ C = CHORD M = MIDDLE ORDINATE R = RADIUS	$\mu = \frac{V^2}{2gD}$ $V = \sqrt{2g\mu D}$	$R = \frac{C}{8M} + \frac{M}{2}$ $V = \sqrt{Rg\mu}$	$\frac{FPS \times 15}{22} = \text{MPH}$ $\frac{MPH \times 22}{15} = \text{FPS}$	ARC SHAPED SCUFF MARK	25 FT. CHORD MIDDLE ORDINATE



**SUPERVISORS VEHICLE ACCIDENT
INVESTIGATION REPORT**

ORIGINAL - SAFETY DIVISION MS 27A
YELLOW - CLAIMS MS 51B
GREEN - ORIGINATING DEPT.

EMPLOYEE AND VEHICLE INFORMATION	1. EMPLOYEE NAME (PRINT LAST, FIRST, M.I.)		2. SOCIAL SECURITY NUMBER	3. DEPT./DIVISION	4. DATE OF ACCIDENT	
	SMITH, John C.			Police-Northern	MO. 07 DAY 04 YR. 90	
	5. JOB CLASSIFICATION		6. EMPLOYEE STATUS: SEASONAL <input type="checkbox"/> PERM PART TIME <input type="checkbox"/> HOURLY <input type="checkbox"/> PERM FULL TIME <input checked="" type="checkbox"/> LIMITED <input type="checkbox"/>	7. EMPLOYEE WORKING OVERTIME WHEN ACCIDENT OCCURRED? NO <input type="checkbox"/> EXTENDED SHIFT <input type="checkbox"/> CALL BACK <input checked="" type="checkbox"/>	8. TIME IN CLASSIFICATION:	
	Police Officer II		9. EMPLOYED WITH CITY:	10. EXPERIENCE WITH VEHICLE:	11. CITY VEHICLE:	12. IF YES, GIVE EQUIP. NUMBER
	LESS THAN 30 DAYS <input type="checkbox"/> 1 TO 3 MONTHS <input type="checkbox"/> 4 MOS. TO 1 YEAR <input type="checkbox"/> 1 TO 5 YEARS <input checked="" type="checkbox"/> OVER 5 YEARS <input type="checkbox"/>		LESS THAN 1 YEAR <input type="checkbox"/> 1 TO 5 YEARS <input checked="" type="checkbox"/> 6 TO 10 YEARS <input type="checkbox"/> OVER 10 YEARS <input type="checkbox"/>	IN TRAINING <input type="checkbox"/> LESS THAN 3 MOS. <input type="checkbox"/> 4 MOS. TO 1 YEAR <input type="checkbox"/> 1 TO 5 YEARS <input type="checkbox"/> OVER 5 YEARS <input type="checkbox"/>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	1207 (1)
					13. VEHICLE SIZE & TYPE (EX. 1/4 TON P/U)	4 door sedan
					14. VEHICLE MAKE & YEAR (E.G. FORD/1969)	1988 Ford
					15. ACTION OF CITY VEHICLE: (CHECK ALL THAT APPLY)	16. ACCIDENT SITE:
			PARKED <input type="checkbox"/> STOPPED IN TRAFFIC <input type="checkbox"/> PREPARING TO STOP <input type="checkbox"/> STARTING IN TRAFFIC <input type="checkbox"/> MOVING FORWARD <input checked="" type="checkbox"/>	LEFT TURN <input type="checkbox"/> RIGHT TURN <input type="checkbox"/> U-TURN <input type="checkbox"/> ROLLAWAY <input type="checkbox"/> BACKING <input type="checkbox"/>	CHANGING LANES <input type="checkbox"/> OTHER (BE SPECIFIC) <input type="checkbox"/>	STREET <input checked="" type="checkbox"/> OFF ROAD <input type="checkbox"/> ALLEY <input type="checkbox"/> LANDFILL <input type="checkbox"/> PARK <input type="checkbox"/> PRIVATE PROP <input type="checkbox"/> BEACH <input type="checkbox"/> CITY YARD <input type="checkbox"/> FREEWAY <input type="checkbox"/> OTHER <input type="checkbox"/>
		17. DAMAGE TO: (CHECK ALL THAT APPLY)	18. INJURIES:	19. TYPE OF RESPONSE: EMERGENCY <input type="checkbox"/> NON-EMER. <input checked="" type="checkbox"/>	20. ACCIDENT PROPERLY REPORTED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
		CITY VEHICLE <input type="checkbox"/> EMPLOYEE VEHICLE <input checked="" type="checkbox"/> OTHER VEHICLE <input type="checkbox"/> CITY PROPERTY <input type="checkbox"/> OTHER PROPERTY <input type="checkbox"/>	NONE <input type="checkbox"/> CITIZEN <input type="checkbox"/> EMPLOYEE <input type="checkbox"/> BOTH <input type="checkbox"/>	21. AT TIME OF ACCIDENT HAD TRAINING BEEN GIVEN: WITHIN 30 DAYS <input type="checkbox"/> 6 MOS. TO 1 YEAR <input checked="" type="checkbox"/> OVER 5 YEARS <input type="checkbox"/> 1 TO 6 MONTHS <input type="checkbox"/> 1 TO 5 YEARS <input type="checkbox"/> NONE GIVEN <input type="checkbox"/>	22. LOCATION OF ACCIDENT: 1100 Sea World Drive	23. TIME OF DAY 10:30 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.
DESCRIBE HOW ACCIDENT OCCURRED, INCLUDE ANY VIOLATIONS OF CITY OR DEPT. POLICY; ACTION OF OTHER VEHICLE, ROAD CONDITIONS, EQUIPMENT MALFUNCTION, ETC. (BE SPECIFIC): SEE ATTACHED REPORT						
THIS REPORT IS A REVISION OF THE SUPERVISOR'S REPORT SUBMITTED 07-07-90.						

ANALYSIS

CAUSE

PREVENTION

PRIMARY CAUSE OF ACCIDENT (WHY DID THE ACCIDENT OCCUR):

SPEED FOR CONDITIONS.

WHAT HAS BEEN/WILL BE DONE TO PREVENT RECURRENCE

THIS COLLISION WILL BE REVIEWED AT THE COMMAND LEVEL FOR DISPOSITION

Richard M. O'HANLON, Sergeant

PHONE #

APPOINTING AUTHORITY:

DATE:

SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT

DATE (occurr.): July 4, 1990

TIME (occurr.): 2230 hours

LOCATION: 1100 Sea World Drive

SUBJECT: Supervisor's Investigation of Police Equipment Collision

Officer John C. SMITH #4047 was driving police equipment number 1207 on July 4, 1990. Officer Peter J. CARUSO #4009 was the passenger officer.

Officers SMITH and CARUSO were headed to the Northern Division substation to secure from their shift. Traffic was extremely congested on Sea World Drive due to the holiday and associated firework displays. Traffic for both lanes of eastbound Sea World Drive ^{were} basically gridlocked.

SMITH was proceeding eastbound on Sea World Drive. As SMITH encountered the congestion he drove into the simulated center island. The island is delineated by double yellow lines. As SMITH entered the island he activated his rear flashing yellow light and front red light of the vehicle's overhead light bar. SMITH was driving approximately 30-35 mph at this point. This was at 2230 hours.

SMITH was NOT responding to an emergency radio call or any other call for service.

As SMITH proceeded through the island he encountered a raised asphaltic center median. SMITH was driving too fast to avoid striking this median. The front of Unit #1207 struck the median. SMITH and CARUSO were travelling with sufficient speed to cause the vehicle to become airborne. The vehicle travelled for approximately 20 feet before landing on the median.

The force of the landing caused the vehicle to "bottom out". This action caused the undercarriage to strike the median. SMITH proceeded through the median. SMITH drove off of the median and took the northbound I-5 onramp. SMITH drove Unit #1207 to Northern where he parked it near the car wash.

Both CARUSO and SMITH stated that they examined the vehicle for damage when they arrived at Northern. Both CARUSO and SMITH stated that they did not see any damage. CARUSO and SMITH stated that the steering of the vehicle was "off" as they were driving to the substation. This was at approximately 2300 hours.

On Thursday morning, 07-05-90, at approximately 0700 hours, Northern Division garage personnel located the damaged vehicle. Lieutenant R. JAMES #1469 was advised of the damaged vehicle shortly after its discovery.

Equipment number 1207 is a pool car that is normally assigned to the Northern Division Beach Enforcement Team.

On Thursday morning, 07-05-90, Lieutenant JAMES contacted me and advised me of the damaged vehicle. I recall seeing SMITH and CARUSO driving a black and white sedan the evening of July 4th. I do not recall the equipment number. SMITH and CARUSO were off on 07-05-90.

Reporting Officer Richard M. O'HANLON, Sergeant *[Signature]* I.D. # 2699 Division N-B.E.T.

Approved By _____ Date of this report 07-29-90 Time 1200

SAN DIEGO POLICE DEPARTMENT

INVESTIGATOR'S REPORT

DATE (occurr.): 07-04-90

TIME (occurr.): 2230 hours

LOCATION: 1100 Sea World Drive

SUBJECT: Police Equipment Collision-page two

On 07-06-90 I was in the process of trying to locate SMITH and CARUSO's Daily Activity Journal for 07-04-90. I could not locate this document. During briefing I asked CARUSO and SMITH where the journal was. They stated that they had accidentally left the journal at the lifeguard station on 07-04-90. I instructed them to locate the journal and bring it to me immediately after they located it. (This document would contain the vehicle number that SMITH and CARUSO were driving on 07-04-90.)

I saw SMITH and CARUSO talking to a mechanic at the garage area. Unit 1207 up on the rack while SMITH and CARUSO were talking to the mechanic. SMITH stated at this point, "I guess I really damaged the car." This was at approximately 1820 hours.

A Traffic unit and supervisor responded to Northern. These officers were D. JENNES #3594 and S. THOMPSON #3746. Traffic Sergeant W. CLEM #1184 also responded to Northern Division.

The damage to Unit 1207 includes but is not limited to the following: bent front rims, broken gear shift indicator, fractured right turn lens, front bumper damage, hood damage, and substantial engine, frame and undercarriage damage.

The collision scene was located at 1100 Sea World Drive. The initial contact point was determined by the gouge mark found on the raised asphalt median.

Officers SMITH and CARUSO told the traffic units that they were responding to a "COVER NOW" call at De Anza Cove at approximately 1800 hours when they struck the median. SMITH stated that he was driving with his emergency equipment activated. Officer CARUSO verified this statement. Both CARUSO and SMITH wrote written reports, ARJIS 9's, about how the accident happened. These reports were included in the collision report made by Officers JENNES and THOMPSON.

Subsequent investigation revealed that SMITH and CARUSO's verbal and written statements as to the time and manner of the accident were untruthful.

I have prepared an "AMENDED" collision report which will be forwarded.

Based on the damage to Unit 1207 and the damage located at the collision scene the following conclusion is reached:

Officer John C. SMITH #4047 was driving in an unauthorized manner, yellow and red lights only, when he struck the raised center median. Officer SMITH gave an untruthful statement to myself, verbal and written, and to the traffic officers as to the time and manner of the collision. Officer SMITH was driving a police unit in an unsafe manner to avoid traffic congestion while enroute to secure [REDACTED] not responding to an emergency or any other call

Reporting Officer Richard M. O'HANLON, Sergeant I.D. # 2699 Division N-B.E.T.

Approved By _____ Date of this report 07-29-90 Time 1200

SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT

DATE (occur.): July 4, 1990

TIME (occur.): 2230 hours

LOCATION: 1100 Sea World Drive

SUBJECT: Police Equipment Collision-page three

when the collision occurred. Officer SMITH was also untruthful as to the time and manner of the collision on form RM-1551 (Vehicle Damage Report). Based on the damage to Unit 1207 Officer SMITH should have reasonably known that he was involved in a police equipment collision. SMITH failed to properly report the accident to a police supervisor according to established police procedures.

Officer CARUSO gave untruthful statements, verbal and written, to myself and the traffic officers. Officer CARUSO should have reasonably known that he and his partner, John SMITH, were involved in a police equipment collision and should have reported the collision to a police supervisor. CARUSO's untruthful statements were given on 07-06-90, when the initial police equipment collision report was completed.

[Redacted] *[Signature]*
Reporting Officer Richard M.O'HANLON, Sergeant I.D. # 2699 Division N-B.E.T.

Approved By _____ Date of this report 07-29-90 Time 1200

CITY OF SAN DIEGO
MEMORANDUM

FILE NO: 385
DATE: August 1, 1990
TO: Sergeant R. O'Hanlon, Northern Division
FROM: Detective J. A. Stewart, Traffic Investigations
SUBJECT: RE: Equipment #1207

On July 11, 1990, I inspected Police Equipment #1207 at the request of Sergeant R. O'Hanlon. The purpose of the inspection was to determine if the damage to this car was of the nature that would be readily apparent to the driver. In addition Sergeant O'Hanlon asked me to see if I could find any damage that was consistent with the car hitting a metal sign pole.

The damage to this car was rather severe. The force of the impact dislodged the motor from its mounts, forcing it up and causing two (2) dents in the hood. The suspension and transmission linkage also sustained severe damage. After inspecting the car I formed the opinion that it would be reasonable to conclude any driver would be aware of the damage.

I did not find any damage that would be consistent with impacting a sign pole.

Sergeant O'Hanlon and I went to the collision scene. There I found gouges in the raised asphaltic concrete island that were consistent with the damage on Unit 1207. There was a portion of metal sign post on the island that was in the path of the car. The break in this portion was old as evidenced by an accumulation of dirt and rust. It is my opinion, this sign pole was not involved in this incident. When I completed the inspection I photographed the scene and gave the film to Sergeant O'Hanlon.

[REDACTED]
Detective J. A. Stewart
Traffic Investigation Unit

JS:lk

JS.2175,,117

San Diego Police Department
TRAINING BULLETIN

A PUBLICATION OF THE SAN DIEGO POLICE DEPARTMENT

BOB BURGREEN

CHIEF OF POLICE

89-2

April 4, 1989

ANABOLIC STEROIDS

Anabolic steroids are synthetic derivatives of the male hormone, testosterone. As such, anabolic steroids mimic the testosterone in the body by producing both anabolic (to build up) and androgenic (male like) effects on the body.

Anabolic steroids were developed in the 1930's and were primarily used to rebuild the body weight of concentration camp survivors following World War II. Anabolic steroids gained wider recognition in the 1950-1960's when they were used to enhance athletic performance, initially in weight lifting. Anabolic steroids come in tablet and liquid form and are taken orally and intramuscularly.

LEGAL

Anabolic steroids are controlled substances under the California Uniform Controlled Substances Act and are listed as Schedule III drugs in Section 11056(f) of the Health and Safety Code, as of January 1, 1987.

The unlawful possession of anabolic steroids is a misdemeanor under Section 11377(b) H&S, unless there is a prior conviction for the same offense. Possession for sale is a felony under Section 11378 H&S and the illegal sales of anabolic steroids is a felony under Section 11379 H&S. Further, doctors, pharmacists and veterinarians who sell, furnish, administer, dispense and/or prescribe anabolic steroids for narcissistic body building purposes are violating Sections 11153(a) and 11154(a) H&S (felonies).

SCOPE/SOURCE

The use of anabolic steroids has crossed over into the general population in epidemic proportions. The Food and Drug Administration estimates there

I - Finaject
O - Maxibolin (Ethylestrenol)
I - Parabolan
O - Primabolan
I - Testosterone Cypionate
I - Winstrol V (Stanozolol)
O - Winstrol

Note: I - Indicates injectables
O - Indicates tablets (orals)

ESTABLISHED SIDE EFFECTS

- Acne
- Cancer
- High Cholesterol
- Water Retention
- Heart Disease
- Liver Disease
- Male Pattern Baldness
- Shrunken Testicles
- Yellowing of the eyes or skin
- Aggressive, combative behavior (Roid Rage)

SYMPTOMS OF ANABOLIC STEROID ABUSE

- Puffy Face
- Severe Ache (face, chest, upper back & thighs)
- Increased Weight Gain Over Short Period of Time
- Mood Swings with Increased Aggressiveness (Roid Rage)
- Yellowing of Skin/Eyes
- Spotted, Dark Skin
- Profuse Sweating

ANABOLIC STEROID SLANG

Roids, Sauce, Juice	Anabolic steroids
Roidal	User of steroids
Roid Rage	Steroid induced violent outburst
Cycle	Time on steroids, usually 6-8 wks.
Stacking	Using multiple steroids at once (injectables/tablets)
Joy Rider	User of steroids for appearance only
Cut	Clearly defined muscles
Buffed	Large with big muscles
Darts/Points	Needles

TRENDS

Illegal anabolic steroid dealers are starting to employ techniques used by traditional drug dealers; pagers, cellular phones, codes, use of public phones, counter-surveillance techniques, money laundering through gyms and other body building related businesses and runners/go-betweens.

are 2-3 million anabolic steroid users in the United States that generates a 500 million dollar annual blackmarket.

The taking of anabolic steroids to build the body and enhance personal appearance, known as the narcissistic body building syndrome, has surpassed the use of anabolic steroids to improve athletic performance.

The sources for illegal anabolic steroids are smuggling, counterfeiting and diversion.

Smuggling

California is the recipient of the majority of smuggled anabolic steroids and serves as a transfer point for the rest of the nation. San Diego, because of it's proximity to Mexico, is known as the anabolic steroid "mecca". The majority of smuggled steroids are either bogus or diluted versions of the real thing.

The smuggling of anabolic steroids from Canada is very active, showing a growing trend towards smuggling European anabolic steroids.

The smuggling activity range from organized, large-scale operations, such as the David Jenkins Organization, to individuals bringing across "personal use" amounts of anabolic steroids.

Counterfeiting

Anabolic steroids are being produced in clandestine labs resulting in a questionable product quality. However, some of the counterfeit steroids mirror the original product both in packaging and appearance so that it is difficult to distinguish the difference.

Diversion

Sources for pharmaceutical anabolic steroids are highly desirable and much sought after by steroid users. Consequently, some doctors, vets and pharmacists use their drug enforcement administration numbers to obtain legitimate anabolic steroids which they then divert to the blackmarket at substantial markups.

The diversion of anabolic steroids accounts for approximately thirty-three (33) percent of the blackmarket.

COMMON ANABOLIC STEROIDS

- O - Anavar (Oxandrolone)
- O - Anadrol (Oxymetholone)
- I - Bolasterone
- I - Deca-Durabolin (Nandrolone decanoate)
- I - Durabolin (Nandrolone Phenropionate)
- I - Dianabol (AKA:D-Bol) Banned in U.S.
- I - Human Chorionic Gonadotropin (HCG)
- I - Equipoise

There is also indication that steroid dealers are forging alliances with established cocaine distribution networks. Further, steroid abusers engage in poly-drug use by taking anti-biotics to treat the severe acne, diuretics to combat bloating, stimulants (Tenuate, Fasting), codeine compounds for pain management and valium to reduce stress/anxiety. (Take the edge off.)

It is clear that anabolic steroids have joined tobacco, alcohol and marijuana as gateway drugs.

If you have questions or cases/arrests involving anabolic steroids, please contact Special Agent J. Kenney, California Department of Justice, Bureau of Narcotic Enforcement [REDACTED]

This Training Bulletin was prepared and written by Special Agent Joe Kenney, Department of Justice.